







LIBRARY  
OF THE  
UNIVERSITY  
OF ILLINOIS

328.7481

P381

1951

v. 6











# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, NOVEMBER 26, 1951.

No. 91.

## SENATE

MONDAY, November 26, 1951.

The Senate met at 2 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Almighty God, beneath Whose watchful eye we live our lives and do our work, we pause in this fleeting moment to honor Thee and seek Thy help. We thank Thee for the land of our birth, for the Commonwealth in which we live, for the blessings of Thy providence and for the daily ministry of Thy love.

Grant now Thy blessing upon this Senate assembled. Give to these men wisdom to know the right and courage to do it. As they have been called by the voice of the people for important business here, so may they be faithful in that trust. Teach us all to know that we have important business with Thee, too. May we so live that when at last we are called to an account before Thee we may look into Thy face unashamed.

Endow these Thy servants with great patience, steady nerves, a sense of humor and incorruptible honesty. Keep them from pettiness and bickering; fill them with faith and love. So may the moral foundations of our land be strengthened, the Commonwealth prospered, and the people made glad by the work they do here and the way they do it. Hear our prayer, in Jesus' name. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HARE and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

### LEAVES OF ABSENCE

Mr. Hare asked and obtained leave of absence for Mr. SCARLETT, because of illness.

He also asked and obtained leave of absence for Mr. McPHERSON, because of illness in the family.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward H. Klein, 96 Center Street, Hughestown, Pittston, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Hughestown, Luzerne County, until the first Monday of January 1954, vice Joseph F. Sterling, resigned.

JOHN S. FINE.

### MEMBER OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Isidor Ravdin, Vice President of Medical Affairs, University of Pennsylvania, Philadelphia, Philadelphia County, for appointment as a Member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1954, and until his successor shall have been appointed and qualified, vice Dr. Robin C. Buerki, Marion Station, resigned.

JOHN S. FINE.

### ALDERMAN, THIRTEENTH WARD, READING, BERKS COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Lennox, 944 North Ninth Street, Reading, Berks County, for appointment as Alderman in and for the Thirteenth Ward of the City of Reading, Berks County, until the first Monday of January 1954, vice George Milmore, deceased.

JOHN S. FINE.

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.



To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harvey J. Polen, 801 Taylor Street, Kennett Square, Chester County, for appointment as Justice of the Peace in and for the Borough of Kennett Square, Chester County, until the first Monday of January, 1952, vice Walter M. Grace, deceased.

JOHN S. FINE.

MEMBER OF MONROE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Lauraine B. Kraemer (Democrat), 114 North Sixth Street, Stroudsburg, Monroe County, for appointment as a member of the Monroe County Board of Assistance, to serve until December 31, 1951, and until her successor is duly appointed and qualified, vice Mrs. Sally Rosenkrans, Delaware Water Gap, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry J. Crum, R. D., Barto, Berks County, for appointment as Justice of the Peace in and for the Township of Hereford, Berks County, until the first Monday of January 1954, vice Daniel A. Ruppert, deceased.

JOHN S. FINE.

ALDERMAN, FIRST WARD, POTTSVILLE,  
SCHUYLKILL COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold Gerstenfeld, 200 North Centre Street, Pottsville, Schuylkill County, for appointment as Alderman in and for the First Ward of the City of Pottsville, Schuylkill County, until the first Monday of January 1952, vice John T. W. Faulls, resigned.

JOHN S. FINE.

CLERK OF THE COURT OF QUARTER SESSIONS OF  
THE PEACE AND CLERK OF THE COURT OF  
OYER AND TERMINER

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Betty Clayton, 120 North Twentieth Street, Pottsville, Schuylkill County, for appointment as Clerk of the Court of Quarter Sessions of the Peace and Clerk of the Court of Oyer and Terminer in and for the County of Schuylkill, until the first Monday of January 1952, vice Bruce S. Clayton, deceased.

JOHN S. FINE.

ASSOCIATE JUDGE, PERRY COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. LeRue Hess, Duncannon, Perry County, for appointment as Associate Judge in and for the County of Perry, until the first Monday of January 1954, vice Hon. George G. Shellehamer, New Bloomfield, deceased.

JOHN S. FINE.

MEMBER OF THE NORTHAMPTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Field Oldt, Esq., (Democrat), 916 Fairfield Avenue, Easton, Northampton County, for appointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice Rabbi Joshua Trachtenberg, resigned.

JOHN S. FINE.

MEMBER OF THE BOARD OF TRUSTEES OF NORRIS-  
TOWN STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Hubley R. Owen, Valley Forge Road and Williams Corner, Phoenixville, Chester County, for appointment as a member of the Board of Trustees of Norristown State Hospital, for the term of four years, and until his successor is qualified, vice George B. Passmore, Oxford, deceased.

JOHN S. FINE.

MEMBER OF THE LEHIGH COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert E. Haas, Esq., (Republican), 502 Hamilton Street, Allentown, Lehigh County, for appointment as a Member of the Lehigh County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel J. Podskoch, 24 Mountain Street, Swoyersville, Wilkes-Barre, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Swoyersville, Luzerne County, until the first Monday of January 1954, vice Peter P. Maholik, resigned.

JOHN S. FINE.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His



Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 739,  
PRINTER'S No. 616

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 739, Printer's No. 616, entitled "An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by The Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 836,  
PRINTER'S No. 614

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 836, Printer's No. 614, entitled "An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 676,  
PRINTER'S No. 607

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, October 11, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 676, Printer's No. 607, entitled "An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled 'An act relating to the annual salaries of certain county officers of counties of the second class' by increasing the salaries of certain county officers."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 677,  
PRINTER'S No. 608

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, October 11, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 677, Printer's No. 608, entitled "An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled 'An act relating to the annual salaries of certain county officers of counties of the third class' by increasing the salaries of certain county officers."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 678,  
PRINTER'S No. 609

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, October 11, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 678, Printer's No. 609, entitled "An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled 'An act relating to the annual salaries of certain county officers of counties of the fourth class' by increasing the salaries of certain county officers."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 679,  
PRINTER'S No. 610

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, October 11, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 679, Printer's No. 610, entitled "An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled 'An act relating to the annual salaries of certain county officers of counties of the fifth class' by increasing the salaries of certain county officers."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 680,  
PRINTER'S No. 611

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, October 11, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 680, Printer's No. 611, entitled "An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class' by increasing the salaries of certain county officers."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 681,  
PRINTER'S No. 612

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, October 11, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 681, Printer's No. 612, entitled "An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' by increasing the salaries of certain county officers."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 682,  
PRINTER'S No. 613

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, October 11, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 682, Printer's No. 613, entitled "An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class' by increasing the salaries of certain county officers."

JOHN S. FINE.



## NOMINATIONS BY THE GOVERNOR

## NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

## CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on November 26, 1951.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

## ALLEGHENY COUNTY

N. Theodore Flocos, Wilkinsburg.  
Miss L. C. Iole, Pittsburgh, 1124 Fulton Bldg.  
Mrs. Helen Levandoski, Harrison Twp., Natrona Heights.  
R. E. McHugh, Monroeville, P. O., E. Pittsburgh.  
Wade R. Mooney, McKeesport.  
Mrs. Elizabeth M. Puskas, Pittsburgh, 550 Grant St.  
Frank R. Rao, Moon Twp., Coraopolis.  
F. K. Ross, Wilkinsburg.  
John G. Topley, East McKeesport.

## BERKS COUNTY

Mrs. Genevieve L. Malatesta, Temple, P. O. Box 516, Reading.  
Miss Joan A. Reber, Reading.

## BUCKS COUNTY

John I. Boyce, Morrisville.

## CAMBRIA COUNTY

Donald C. Buettner, Johnstown.  
John J. O'Donnell, Summerhill Twp., Beaverdale.

## CHESTER COUNTY

Mrs. Sarah F. Morris, Caln Twp., Coatesville.  
Miss Bessie M. Pauling, West Chester.

## CLARION COUNTY

Thomas W. Hosack, Clarion.

## CLEARFIELD COUNTY

Miss Marie Shaw, Boggs Twp., West Decatur.

## CUMBERLAND COUNTY

David L. Musselman, Lemoyne.

## DELAWARE COUNTY

Miss Shirley McFadden, Chester.  
P. John Modesti, Ridley Twp., Folsom.  
Mrs. Florence E. Rupert, Springfield Twp., Springfield.  
F. Sterling Williamson, Media.

## ERIE COUNTY

David H. Smith, Erie.  
Miss Dorothy M. Sullivan, Erie.

## FRANKLIN COUNTY

Mrs. Mary F. Howe, Chambersburg.

## FULTON COUNTY

Stanley M. Strait, Licking Creek Twp., Harrisonville.

## LACKAWANNA COUNTY

Mrs. Mildred Rabiega Wentline, Scranton.

## LANCASTER COUNTY

Mrs. Clara McCarty, Upper Leacock Twp., Leola.

## LAWRENCE COUNTY

Don L. Watson, Ellwood City.  
Mrs. Grace M. Zeigler, Ellwood City.

## LEHIGH COUNTY

Roscoe W. Cressman, Bethlehem.  
Harold W. Meyers, Allentown.

## LUZERNE COUNTY

John C. Chesterfield, Ashley.  
Mrs. Sophie Rittinger, Kingston.  
W. F. Snyder, Wilkes-Barre

## McKEAN COUNTY

Mrs. Pauline G. Wells, Smethport.

## NORTHUMBERLAND COUNTY

Miss Anna V. Bitner, Northumberland.

## PHILADELPHIA COUNTY

William H. Bates, 8517 Ditman St.  
Martin P. Blum, 6600 Rutland St.  
William Edward Corry, 5339 Large St.  
Miss Jane S. Dickson, 2045 W. Hunting Park Ave.  
W. E. Edgeworth, 204 W. Rittenhouse Square  
William G. Fitzpatrick, 725 Reading Terminal.  
Oliver E. Goldsmith, 1200 Foulkrod St.  
Miss Nina I. Harvey, 4041 Ridge Ave., Bldg. 11.  
Earl Howard, A-717 Park Drive Manor.  
Miss Helen E. Kinzel, 5732 Hasbrook Ave.  
Norman A. Nuddle, 531 Vine St.  
Joseph E. Sindoni, 1817 S. Broad St.  
C. L. Tucker, 319 Public Ledger Bldg. (6).  
C. Clifford Washington, Jr., 1818 West Columbia Ave.  
Mrs. Suki Weiss, 6029 N. 12th St.

## SCHUYLKILL COUNTY

Miss Hazel G. Neyer, Pine Grove.

## SUSQUEHANNA COUNTY

Miss Wilma M. Parlette, Bridgewater Twp., South Montrose.

## WARREN COUNTY

Mrs. Elma E. Gregerson, Cherry Grove Twp., Clarendon.  
R. E. Huber, Warren.

## WASHINGTON COUNTY

Miss Catherine E. Gibson, Roscoe.  
John W. Haught, Washington.  
A Vincent McKee, Canton Twp., Washington.

## WAYNE COUNTY

Mrs. Ruth M. Williams, Lake Twp., Lake Ariel.



## WESTMORELAND COUNTY

Albert A. Bittcher, New Kensington.  
 F. B. Downs, New Kensington.  
 Barney J. Fal, Monessen.  
 Mrs. Blanche E. Hood, Arnold.  
 Harry C. Perkins, Hempfield Twp., Irwin.  
 Miss Mary Catherine Quinn, Greensburg.  
 F. S. Ralston, New Kensington.  
 James W. Seiler, S. Huntingdon Twp., Ruffs Dale.  
 Miss Helen L. Smeltzer, Greensburg.  
 L. W. Walter, Jeannette.

## YORK COUNTY

J. Samuel Bievenour, York.  
 Clair E. Keller, York.  
 Mrs. Minnie B. Lowe, Fawn Grove.  
 A. H. Naupauer, York.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
 Governor's Office, Harrisburg, November 26, 1951.  
 To the Honorable, the Senate of the Commonwealth of  
 Pennsylvania:

In conformity with law, I have the honor hereby to  
 nominate for the advice and consent of the Senate the  
 following persons for appointment as Notaries Public,  
 for terms of four years to compute from the date of con-  
 firmation:

## ALLEGHENY COUNTY

C. E. Bailey, Pittsburgh, 359 Fifth Ave.  
 Miss Beatrice Barton, Pittsburgh, 132 S. Whitfield St.  
 Frank C. Bayer, Monroeville, Wm. Penn Highway, Pitts-  
 burgh.  
 Mrs. Correll M. Buchheit, Pittsburgh, 5260 Center Ave.  
 K. B. Cook, Bellevue.  
 Harry R. Dietrich, Pittsburgh, 1810 E. Carson St.  
 Miss Helen L. Fowler, North Braddock.  
 Mrs. Esther W. Gottesman, Duquesne.  
 Ervin L. Hahn, Turtle Creek.  
 Miss J. Dorothy Henning, Pittsburgh, 535 Smithfield St.  
 Abraham Herman, Pittsburgh, 437 Grant St.  
 Walter H. Horner, Pittsburgh, 524 Federal St.  
 Clarence L. Huff, Pittsburgh, 719 Herron Ave.  
 Miss Katherine Hyde, Coraopolis.  
 Robert D. Jenkins, Jr., Pittsburgh, 248 Carrington St.  
 William Katz, Pittsburgh, 5850 Centre Ave.  
 Mrs. Frances A. Keith, McKeesport.  
 Hillard Kreimer, Pittsburgh, 304 Ross St.  
 Howard J. Kurtz, Whitehall, 3823 Provost Rd., Pitts-  
 burgh.  
 Charles C. La Vallee, Pittsburgh, 3530 Forbes St.  
 Robert C. Lawrence, Pittsburgh, 545 Wm. Penn Place.  
 James A. Malone, West View.  
 Harry W. Maybury, Monroeville, R. D. 1, Turtle Creek.  
 Samuel W. Menzies, Dormont.  
 Stephen D. Morris, Pittsburgh, 1430 N. St. Clair St.  
 E. J. Pilat, Pittsburgh, 1803 Investment Bldg.  
 Charles D. Printz, Pittsburgh, 545 Wm. Penn Place.  
 Mrs. Anne R. Reder, Pittsburgh, 604 E. Ohio St.  
 Miss Betty Rehak, Pittsburgh, 429 Fourth Ave.  
 Mrs. Dorothy C. Robin, Pittsburgh, Bigelow Square.  
 Miss M. L. Schoffstall, Pittsburgh, 5929 Broad St.  
 W. W. Scott, East Pittsburgh.  
 Leo B. Shapero, Pittsburgh, 417 Grant St.  
 Miss Y. Adrienne Shapiro, Pittsburgh, 417 Grant St.  
 Mrs. Eileen E. Silvestri, West Mifflin.  
 David L. Stumpf, Pittsburgh, 5907 Penn Ave.  
 Mrs. Ida C. Sturgeon, Pittsburgh, 5315 Baum Blvd.  
 Mrs. Helen K. Tulenko, Pittsburgh, 324 Fourth Ave.  
 William F. Vodde, Pittsburgh, 450 Fourth Ave.  
 Anthony S. Wagenhofer, Pittsburgh, 203 Oakland Ave.  
 Paul F. Ward, Pittsburgh Rm. 803, Union Trust Bldg.  
 Andrew L. Weil, Pittsburgh, 722 Frick Bldg.  
 William Young, Jr., Pittsburgh, 1525 Pennsylvania Ave.

## ARMSTRONG COUNTY

Mrs. Shirley Rudolph, Applewold, Kittanning.

## BEAVER COUNTY

William C. Angel, Ambridge.  
 F. W. Conner, Aliquippa.  
 Miss Lucille Porter, Beaver.  
 William B. Smith, Aliquippa.

## BEDFORD COUNTY

Mrs. Dorothy L. Mock, Snake Spring Valley Twp.,  
 Everett.

## BERKS COUNTY

Chas. W. Lebo, Reading.

## BLAIR COUNTY

Miss Lois E. Delozier, Hollidaysburg.  
 Miss June M. Kline, Altoona.

## BRADFORD COUNTY

Miss Ellen L. Quigley, Towanda.

## BUCKS COUNTY

Elmer G. Moeller, Middletown Twp., Pennel.

## BUTLER COUNTY

H. C. Beahm, Forward Twp., Callery.  
 Miss Edna M. Brown, Butler.  
 Mrs. Dorothy Byers, Buffalo Twp., Sarver.  
 Edward R. Miller, Butler.

## CAMBRIA COUNTY

Mrs. Mary G. Bionaz, Portage.  
 William A. Sloan, Cambria Twp., Colver.

## CENTRE COUNTY

Mrs. Phoebe M. Cronister, State College.  
 Don R. Myers, Philipsburg.

## CHESTER COUNTY

F. Walter Grace, Kennett Square.

## CLARION COUNTY

Wm. H. Thompson, Clarion.  
 Frederick A. Shepperly, Berwick.

## CRAWFORD COUNTY

Mrs. Frances L. Dixon, Meadville.  
 Mrs. V. L. Lauderman, Meadville.  
 Miss Doris Jean Olson, Titusville.

## CUMBERLAND COUNTY

Mrs. Mary E. Adams, Carlisle.

## DAUPHIN COUNTY

Miss Catherine Brothers, Harrisburg.

## DELAWARE COUNTY

Joseph F. Bonner, Lansdowne.  
 Mrs. Mary D. Bruno, Chester.  
 Sister Mary Carmelita, Aston Twp., Glen Riddle.  
 Joseph F. Desmond, Chester.  
 Miss Thelma S. Detwiler, Sharon Hill.  
 John J. DiMeglio, Chichester Twp., Chester  
 David L. Gibson, Media.  
 Eugene S. Ginns, Marcus Hook.  
 Samuel N. Jeffries, Upper Darby Twp., Upper Darby.  
 Miss Marion R. Kirk, Upper Darby Twp., Upper Darby.  
 Elmer C. Lutton, Yeadon.  
 Mrs. Hazel L. Mac Carsey, Upper Providence Twp.,  
 Media.  
 Miss L. McArthur, Upper Darby Twp., Drexel Hill.  
 Mrs. Helen M. Monagle, Upper Darby Twp., Upper  
 Darby.  
 Miss Mary Louise Pollock, Chester.



Henry G. Smith, Media.  
Miss Jane A. Wolf, Upper Darby Twp., Upper Darby.

## ELK COUNTY

Mrs. Lois A. Vogt, Ridgway.

## ERIE COUNTY

Mrs. Belle Louise Bright, Albion.  
Mrs. Jane Hahn, Erie.

## FAYETTE COUNTY

John T. Adams, Luzerne Twp., Brownsville.  
Mrs. Olive H. Anderson, Belle Vernon.  
Mrs. Constance E. Lepre, North Union Twp., Mt. Brad-  
dock.  
Donald Murray, Connellsville.  
V. R. Stump, Uniontown.

## FRANKLIN COUNTY

Melvin J. Flickinger, Mercersburg.

## GREENE COUNTY

Andrew P. Beres, Greensboro.

## INDIANA COUNTY

Chris Butterworth, Jr., Indiana.  
Miss Patricia Easley, Indiana.

## JEFFERSON COUNTY

C. E. Campbell, Union Twp., Corsica.

## LACKAWANNA COUNTY

Miss Magdalen Lydon, Scranton.  
Mrs. Love H. Mazur, Blakely, P. O. Peckville.  
Mrs. Mary F. Moser, Scranton.

## LANCASTER COUNTY

Mrs. Mary G. Cooper, Manor Twp., Lancaster.  
Donald F. Hess, Lancaster.  
James G. Hickey, Lancaster.  
Edward A. Leaman, Mount Joy.  
Mrs. Ruth H. Little, Lancaster.  
Lee C. McMichael, Lancaster.

## LEHIGH COUNTY

J. Alvan Brown, Allentown.  
R. Merritt Knoll, Allentown.  
Mrs. Pauline A. Kressley, Lowhill Twp., Orefield.  
Miss Jean Lorenzetti, Allentown.  
Charles T. Noonan, Lower Macungie Twp., Macungie.

## LUZERNE COUNTY

James A. Catnes, Nanticoke.  
Miss Deborah Eddy, Wilkes-Barre.  
H. C. Keyser, Hazleton.  
Frank Lubin, Wilkes-Barre.  
Edward G. Pissott, Wilkes-Barre.  
Mrs. Agnes Dolan Prescott, Kingston.  
Miss Ida M. Rosser, Kingston.  
R. F. Switzgable, West Pittston, P. O. Pittston.  
Miss Lorraine F. Tretheway, Wilkes-Barre.

## LYCOMING COUNTY

Mrs. Dorothy B. Bostley, Williamsport.  
LeRoy G. Edwards, Jr., Williamsport.  
Mrs. Muriel T. Lynch, Williamsport.  
Mrs. Vivien Mitstifer, Williamsport.

## McKEAN COUNTY

Mrs. T. W. MacKenzie, Bradford.  
Mrs. Gertrude E. Rifle, Smethport.

## MERCER COUNTY

James Allen Davis, Sharon.  
Mrs. Mary Gilliland, Sharon.  
Miss Lillian Golub, Sharon.  
Miss Grace I. Moretti, Mercer.  
Miss Ailene Sholtis, Sharon.

## MIFFLIN COUNTY

William J. Rupp, Derry Twp., Lewistown.

## MONTGOMERY COUNTY

Mrs. Margaret T. Houck, Pottstown.

## NORTHAMPTON COUNTY

Mrs. Mary C. Henn, Bethlehem.  
Frank R. Huth, Nazareth.  
Ralph F. Singley, Easton.

## NORTHUMBERLAND COUNTY

Donald L. Metzger, Milton.  
Charles H. Reitz, Mount Carmel.  
George W. Rupp, Mount Carmel.  
Joseph F. Schnedier, Mount Carmel.

## PHILADELPHIA COUNTY

Henry H. Addison, 6221 Market St.  
Herbert R. Batterman, 807 N. Broad St.  
R. S. Bicking, 1 S. 8th St.  
Louis Bonaventura, Jr., 1502 S. 8th St.  
Rocco E. Bonavitacola, N. E. Cor. Beechwood St. &  
Snyder Ave.  
Frank I. Carroll, 2244 S. 70th St.  
Thomas R. Carter, 4802 Fairmount Ave.  
Louis J. DeFelice, 2235 Sigel St.  
Miss Frances Di Giovanni, 945 Drexel Bldg.  
Miss Marie T. Doling, 1500 Chestnut St.  
Miss Gladys Emanuel, 730 Arch St.  
Fred C. Fehr, Jr., 5909 N. 5th St.  
Samuel Fierstien, 1218 Oaklane Ave.  
Miss Dolores C. Gendaszek, 1400 S. Penn Square.  
David Hoffman, 630 W. Moyamensing Ave.  
Mrs. Margaret M. Jordan, 6325 Woodland Ave.  
George M. Kane, 4543 N. 13th St.  
Philip J. Kauffman, 246 W. Upsal St.  
Samuel Klein, 608 Parrish St.  
Milton A. Lazowick, 6335 Algon Ave.  
Nathaniel Levit, 518 S. 13th St.  
Charles A. Masterson, Rm. 456, Public Ledger Bldg.  
Oliver J. Mauro, 1518 Land Title Bldg.  
Joseph A. McManus, 948 N. 50th St.  
Harold Noskow, 7401 Ruskin Road.  
Allen Paskman, 100 S. Broad St.  
Jacob Rabin, 4830 N. 7th St.  
Glenn R. Rakoczy, 5407 Irving St.  
Mrs. Ruth A. Rittenhouse, 1727 W. Pacific St.  
Paul F. Rudolph, 6607 Ogontz Ave.  
Leonard Siegel, 6490 Anderson St.  
Miss Anna V. Sorber, 5817 N. Mascher St.  
Mrs. Pauline Stevens, Park Drive Manor Apts.  
Louis M. Suevo, 8714 Frankford Ave.  
Charles E. Vogan, Rm. 900, S. W. Cor. 15th & Chest-  
nut Sts.  
Mrs. Bertha G. Wilson, 708 N. 49th St.  
Mrs. Florence J. Wittkorn, 1265 E. Cheltenham Ave.

## POTTER COUNTY

Mrs. Melva B. Carley, Coudersport.



## SCHUYLKILL COUNTY

Robert L. Bair, Hegins Twp., Valley View.  
Miss Melina Capitanio, Mahanoy City.  
Bart J. Flannery, Shenandoah.  
Robert B. Marcheski, Tamaqua.  
Miss Alma L. Miller, Pottsville.

## TIOGA COUNTY

Mrs. Elsie W. Greenland, Wellsboro.  
Miss Dorothy M. Griswold, Wellsboro.

## VENANGO COUNTY

F. Arthur Johnson, Oil City.

## JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

## ALLEGHENY COUNTY

Russell J. Butler, Jr., Pittsburgh, 304 Ross St.  
John H. Thompson, Pittsburgh, 345 Fourth Ave.

## BUTLER COUNTY

Harry F. T. Iman, Butler.

## DELAWARE COUNTY

Richard J. Morici, Collingdale.  
Charles E. Pusey, Jr., Radnor Twp., Wayne.

## ERIE COUNTY

Miss Sally A. Shickler, Erie.

## FRANKLIN COUNTY

Miss Vivian L. Cordell, Chambersburg.

## INDIANA COUNTY

R. A. Fulton, Young Twp., West Lebanon.  
Myron H. Tomb, Indiana.

## LANCASTER COUNTY

Robert J. Horn, Columbia.

## LEBANON COUNTY

George E. Yiengst, Bethel Twp., Fredericksburg.

## LEHIGH COUNTY

Miss Marcella L. Hilbert, Allentown.

## PHILADELPHIA COUNTY

F. H. Lynch, Rm. 1042, Public Ledger Bldg., 6th & Chestnut Sts.  
George D. Miller, Rm. 213, City Hall, Broad & Market Sts.

## TIOGA COUNTY

George A. Cole, Westfield.

## JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,  
That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—46

Bane,	Freed,	McGinnis,	Stevenson,
Barr,	Haluska,	McMenamin,	Stiefel,
Barrett,	Hare,	Meade,	Taylor,
Berger,	Holland,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silver,	Wood,
		Snowden,	Yosko,

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication from the Honorable John Foster Dulles, which was read by the Clerk as follows:

OFFICE OF THE SECRETARY OF STATE  
WASHINGTON

October 16, 1951.

My dear Mr. Watkins:

On my return I find the Senate of Pennsylvania Resolution expressing commendation for my efforts in relation to the Japanese Peace Treaty. Would you kindly convey in whatever manner may be appropriate my appreciation of this generous gesture on the part of the Senate of Pennsylvania.

I note that the Resolution was introduced by Senator Yosko and I hope you will particularly express to him my thanks.

Sincerely yours,

(signed) JOHN FOSTER DULLES  
John Foster Dulles

Mr. G. Harold Watkins,  
Secretary, Senate of Pennsylvania,  
Harrisburg, Pennsylvania

## BILL INTRODUCED AND REFERRED

Mr. HARE read in his place and presented to the Chair Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by extending the time within which regulations must be filed in the Department of State.

Which was committed to the Committee on State Government.



**RECESS**

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

**AFTER RECESS**

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

**BILLS INTRODUCED AND REFERRED**

Mr. BARR read in his place and presented to the Chair Senate Bill No. 873, entitled:

An Act to further amend sections 614 and 615 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by changing penalties relating to bribery in athletic contests and soliciting or accepting a bribe in athletic contests.

Which was committed to the Committee on Law and Order.

Mr. DENT (By Request) read in his place and presented to the Chair Senate Bill No. 874, entitled:

An Act to amend section 3 of the act, approved the seventeenth day of May, one thousand nine hundred thirty-nine (P. L. 157), entitled "An act regulating the selection, drawing, and summoning of all jurors and talesmen, in counties of the third class, and defining their qualifications in such counties; creating a jury board and defining its powers and procedure; providing for the appointment of a clerk to the jury board and fixing his maximum salary; providing for the custody of the jury wheel, and the filing and custody of jury lists; providing for the public drawing of jurors and the methods thereof; giving the trial judge the right to excuse jurors; prescribing the time of challenging jurors or the array, regulating the procedure if array is quashed; providing for the drawing of names of jurors from wheels heretofore filled; and names to clerk of jury board for inclusion on jury lists repealing inconsistent acts," by changing date for handing and making publication of jury lists discretionary with the court.

Which was committed to the Committee on Judiciary General.

Messrs. RUTH and TAYLOR read in place and presented to the Chair Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuber-



culosis sanatorium at Hamburg, Pennsylvania with private capital, the solicitation of such capital, and the acceptance of such chapel by the Commonwealth.

Which was committed to the Committee on State Government.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 876, entitled:

An Act relating to streets, lanes or alleys that were originally laid out on plans of lots but which have never been accepted or used by or opened to the public; and limiting the time within which actions may be brought.

Which was committed to the Committee on Highways.

#### PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, we have from time to time, since January 1, tried to bring outside interests in to study the budget, and also to study the amount of income that would be derived from the taxes that have already been levied.

Mr. President, last week the Pennsylvania Economy League presented to the Administration a brief showing how the budget could be balanced without any new taxes. The only comment received from the Budget Controller was one which was of a farcical manner and belittling a man who had served his Country as a colonel in the United States Army. Now, this same Economy League worked, with the permission of the Board of Education of Pittsburgh, and saved the taxpayers of Pittsburgh millions of dollars, because we had in the Senate, after it was passed by the House, the permission for the Board of Education to increase the real estate tax of the city of Pittsburgh for the upkeep of our schools. Mr. President, after the Economy League came in and made a complete study of the budget and of the taxes, they found that no new taxes were necessary and that the Board of Education had a surplus instead of a deficit.

Mr. President, I would like to read a letter I received from the Board of Education as follows:

"Dear Senator Holland:

"By this time you have probably read newspaper releases by the Finance Committee of The Pittsburgh Board of Public Education and The Pennsylvania Economy League relative to the revised estimates of the Board's financial prospects for 1952 and 1953.

"Since the Legislative recessed in September, the Board's administrative officials in cooperation with the League made an intensive study of the financial situation. Their study indicates a surplus of over \$2,000,000 for the 1951 fiscal year. This favorable balance is due to a larger than anticipated carry over from 1950 of \$400,000, an estimated unexpended appropriation for 1951 of \$600,000, an anticipated increase in state subsidies of \$300,000 for the last four months of 1951, and phenomenal tax collections all along the line which will probably result in an excess of tax receipts over estimates of about \$1,000,000.

"The Board's Finance Committee has concluded that in view of this surplus and assuming tax collections in 1952 and 1953 will maintain the high level attained in 1951, it will not be necessary to continue to request an increase

in the school real estate tax millage despite the possibility of mandated salary increases.

"I am confident that you will welcome this information. I wish to express my sincere appreciation and that of the Board for your interest in this matter and for the help which you so generously gave.

"/S/ H. H. Rothrock

"Secretary and Business Manager of the Board of Education"

Mr. President, I am of the belief that the same thing will happen in Pennsylvania if we permit an outside interest to come in and study our budget, study our tax problems, and above all to study where some economy can be obtained in the expenditures of the State.

Mr. President, on that basis I offer the following resolution and ask for unanimous consent for immediate consideration.

#### RESOLUTION

URGING THE SENATE OF PENNSYLVANIA TO CONSIDER REPORT OF PENNSYLVANIA ECONOMY LEAGUE AND THAT A PUBLIC HEARING BE GRANTED

Mr. HOLLAND offered the following resolution which was twice read as follows:

In the Senate, November 26, 1951.

The General Assembly has been in session eleven months without a break in the "Fiscal Deadlock."

Although many suggestions have been made regarding taxes and budgetary expenditures, the administrations have been adamant that their estimates be accepted without question, and that an income tax must be passed.

The latest suggestions that no new taxes are necessary have been put forth in a review of the current situation as to the general fund revenues and appropriations by the Pennsylvania Economy League, has met with a flip-pant remark by the Budget Controller, so, therefore

Be It Resolved, that the Senate of Pennsylvania do consider the report of the Pennsylvania Economy League and grant them a Public Hearing, before a joint meeting of the Finance Committee and the Appropriations Committee immediately, and

Be It Further Resolved that all members of the Senate and the Budget Director be invited to attend this joint meeting and be given the privilege of entering in the discussion.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration of the resolution just read.

The PRESIDENT. The resolution is referred to the Committee on Rules.

#### INTERROGATION

Mr. HOLLAND. Mr. President, I would like to interrogate the Chairman of the Rules Committee.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. It is always a pleasure, Mr. President.

Mr. HOLLAND. Senator Walker, Commissioner of Allegheny County, I would like to make a special request



of you. Would you give us a promise that the Rules Committee will consider this at the first meeting of the Rules Committee?

Mr. WALKER. Mr. President, the Rules Committee at its meetings always considers all matters before it for consideration.

Mr. HOLLAND. Mr. President, I hope I can believe that.

Mr. WALKER. Mr. President, that is no way for the gentleman to talk to his new Commissioner.

#### PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, one thing I dislike in political life, as in any other phase of our public life or personal life, is hypocrisy. I, for one, do not agree with the figures which have been submitted by the Pennsylvania Economy League. All I know about it is what I have read in the newspapers. I say to you, before we jump to conclusions, we should have a brief submitted to us by the Pennsylvania Economy League.

Mr. President, I, for one, have studied this budget just as much as any Member of this Senate. I am of the opinion, after talking with the Director of the Budget, Mr. Logan, that we do need additional taxes but not in the form of an income tax. I repeatedly stated my position on that. I am opposed to an income tax regardless. However, we do need additional taxes to take care of our schoolteachers, to take care of our hospital subsidies. That is something which we have to face.

Mr. President, I will agree on a hearing. I think if the Economy League can produce any figures to prove to the Members of the Senate that we do not need additional taxes, they should submit them in the form of a brief so we can study them, but as of this date, from what I have read in the newspapers, I say they are overestimating revenues, which is a very simple thing for anyone to do. As a matter of fact, any county can balance their budget by overestimating revenues, and then running into a deficit at the end of the year. I want to see black on white. So, if this famed Economy League has the figures, I think they should submit them to the Members of the Finance Committee or to every Member of the Senate.

#### PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, one of my reasons for asking for a public hearing is because I believe these figures should be brought out in the open, not only the Economy League but other people who have figures they think can balance the budget. I have studied this budget from the first day. We had a lot of good help on studying it, and I feel the budget is full of fat. As far as teachers and hospitals are concerned, they can be very well taken care of if some of the unnecessary expenditures, which are strictly political, are taken out of the budget. For instance, I do not think we need the Department of Commerce. I said from the beginning, and I say again, it is just nothing but a political nest down there. They have people who do not work. The Milk Control Commission has outlived its usefulness, and they can go on from department to department, and cut here and cut there and give the teachers all the raises they require, give the

hospitals and the State institutions all the money they need without any new taxes.

Mr. President, I hope that the Rules Committee will agree to a public hearing so that we can find and study the figures of the Economy League. Also in this resolution I have asked that the Budget Controller be brought in so he can give his figures. As it is now, it is a very underestimated amount of the taxes to be received by the State, which has been given by the Budget Controller and as agreed to by the people who pay taxes in Pennsylvania.

#### BILL INTRODUCED AND REFERRED

Mr. FREED. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREED read in place and presented to the Chair Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

Which was committed to the Committee on Local Government.

#### PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, before submitting this bill I want to make a brief statement. The idea back of submitting this bill at this late date is to correct an error which the Members of the Senate and the Members of the House made when we passed House Bill No. 1480, which is the new Unemployment Compensation Act in Pennsylvania.

Mr. President, this Unemployment Compensation Act discriminated against a certain segment of our population, and that is those coal miners in the bituminous area that receive a pension from the United Mine Workers Welfare Fund. Under the provisions of the law which was passed and signed by the Governor, those men are deprived of their unemployment compensation to a great extent because it acts as a credit; that is, what they receive from the Welfare Fund acts as a credit against their unemployment compensation which they are justly entitled to. There are some members of the United Mine Workers of America that are now receiving the insignificant sum of one dollar per week for their unemployment compensation.

Therefore, Mr. President, I request that this bill go to the Committee on Labor and Industry, and I trust that my good friend, the Chairman, will give it has favorable consideration.

#### BILL INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. LANE, DENT and BANE, read in place and presented to the Chair Senate Bill No. 878, entitled:

An Act to further amend subsection (d) of Section 404 of the act, approved the fifth day of December, one thou-



sand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further fixing the amount of weekly compensation.

Which was committed to the Committee on Labor and Industry.

#### PERMISSION TO ADDRESS SENATE

Mr. ROSENFELD asked and obtained unanimous consent to address the Senate.

Mr. ROSENFELD. Mr. President, I am introducing this bill at the request of the Greater Philadelphia Movement. It involves an amendment to the Home Rule Act of the city of Philadelphia.

Mr. President, I do not indicate by such introduction that I think this bill is necessary. It may or may not be. I do not say that I am thoroughly satisfied with the language that has been used in the amendment, but since this Session does not have long to go and since the Committee considering it can take care of those situations, I read in place and present to the Chair the following bill.

#### BILL INTRODUCED AND REFERRED

Mr. ROSENFELD. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROSENFELD read in place and presented to the Chair Senate Bill No. 879, entitled:

An Act to amend Section 17 of the act, approved the twenty-first day of April, one thousand nine hundred forty-nine (P. L. 665), entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame, adopt and amend their own charters and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county boards of elections, courts and the Secretary of the Commonwealth; and providing for the payment of certain expenses by such cities; and imposing penalties," by authorizing cities framing, adopting, or amending their charters and exercising the powers and authority conferred by said act to perform functions of county government authorized by certain provisions of the Constitution of Pennsylvania.

Which was committed to the Committee on Local Government.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor:

#### CLERK OF THE COURT OF QUARTER SESSIONS OF THE PEACE AND CLERK OF THE COURT OF OYER AND TERMINER

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Betty Clayton, 120 North Twentieth Street, Pottsville, Schuylkill County, for appointment as Clerk of the Court of Quarter Sessions of the Peace and Clerk of the Court of Oyer and Terminer in and for the County of Schuylkill, until the first Monday of January 1952, vice Bruce S. Clayton, deceased.

JOHN S. FINE.

#### CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Freed,	McGinnis,	Stevenson.
Barr,	Haluska,	McMenamin,	Stiefel,
Barrett,	Hare,	Meade,	Taylor,
Berger,	Holland,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Proper,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
		Snowden,	Yosko.

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

#### RECESS

Mr. HARE. Mr. President, I move that the Senate do now take a recess for fifteen minutes, to permit a Republican Caucus.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.



## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## BILL INTRODUCED AND REFERRED

Mr. CROWE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE read in place and presented to the Chair Senate Bill No. 880, entitled:

An Act to further amend subsection (d) of Section 401 of the ct, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by exempting from inspection certain vehicles used exclusively upon farms or highways connecting farms owned or operated by the same owner.

Which was committed to the Committee on Highways.

## HOUSE BILL No. 840 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WOOD. Mr. President, I ask unanimous consent at this time to call up from the Third Reading Postponed Calendar, House Bill No. 840.

The PRESIDENT. Is there objection? The Chair hears none.

## HOUSE BILL No. 840 RECOMMITTED TO COMMITTEE

Mr. WOOD. Mr. President, I move that House Bill No. 840, on third reading, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined on trusts and estates and on income of non-residents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the withholding assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employes and departments saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and imposing penalties and restricting the use of the moneys derived from said tax.

be recommitted to the Committee on Finance.

Mr. DENT. Mr. President, this motion that has just been

made, as I understand it, is made to send the income tax bill back to committee. I would have much rather had a vote on the bill itself upon the Senate floor.

Mr. President, the reason that the income tax bill came out of committee was because for a period of nine months this General Assembly has been dealing with a problem that has many sides, and a great many of the Members of the General Assembly were of the opinion then, and I for one am of the opinion now, that until a final determination is made on the income tax, we cannot get down to the business at hand, that of balancing the budget, passing the necessary legislation and calling it quits for this Session. Therefore, when the bill was in committee in the first instance, I believe in the month of June, the bill came out for two readings and was sent back to committee. Later a committee meeting was held and the committee voted to keep the bill in committee. That was against my political judgment. I voted that way because the Democratic Caucus felt that its members on that committee ought to be so instructed, and I followed the caucus action.

Mr. President, after that vote I publicly stated to my group that I thought it was a mistake, that I thought that the only place a bill could be killed would be by either a motion in the committee to postpone it indefinitely, or to put it on the floor and vote the bill up or down. Some of my colleagues did not agree with that, but some did agree with that. At no time have I, or any of my colleagues to my knowledge, ever promised anybody they would vote for the income tax.

Mr. President, I believe that every Member of this Senate knows that in the early inception of the fight on the budget, I took the positive position that on the face of the figures that had been handed us in March, that no new taxes were needed. This Legislature then proceeded to exceed the demands of the budget. The only mistake that I can see now that I have made is that I did not listen to the advice of my deceased father, who once told me that you cannot be a statesman and still breathe. Politicians breathe; statesmen are buried. I tried to become a statesman while I was still breathing, and you just cannot do it.

Mr. President, the situation now resolves itself to where we are back where we started from. I can assure the Members of the Senate that when that bill came out of committee, it came out with an honest effort to get a vote regardless of what was said in newspapers, regardless of what was used in the campaign in my county against me, regardless of any insinuations or rumors. There was never any ulterior motive in bringing the bill out of committee. I speak for Senator Barr, and I am sure that the Members of the Finance Committee will uphold me when I say that I said to the Chairman of the Finance Committee that night, "If we vote 'no' on this bill at this time, does that mean that the bill is dead and we cannot proceed with the business of the Session?" The Chairman of the Committee, Mr. Newell Wood—I hope that he forgives me for divulging matters that took place in the committee, but I think it is important—said to me and to the Members of the Committee, "As Chairman of this Committee, I cannot tell you that any bill is dead so long as the committee wants to bring it up again." I said, "In the face of that, Mr. Chairman, I think that the only way to bring this before the people



of Pennsylvania in such a way that they can understand that we are stymied beyond any hope of compromise is to bring the bill out on the floor, and I would ask enough Democrats to vote with those Republicans who so feel to put the bill out on the floor." As it was counted, two Democrats were needed. Senator Barr and myself made the sacrifice, if you please, and we voted the bill out on the floor.

Mr. President, at no time, contrary to anything that has been said, have we ever made any agreements to give any Democratic votes. I do not think there is any question that I have met with the Governor, and I would meet with the Governor again if the Governor so thought that my meeting, or a group of Democratic Senators meeting with him, would be in the interest of Pennsylvania. I did not know when I was elected to this office that I was to come into this Senate Chamber and refuse to meet with the Majority Party at any time to work out some solution to a grievous problem that faces the people of the Commonwealth, and so long as I am a Member of this Senate I will stand for compromise. I will stand for any kind of a meeting, any kind of an agreement that will be beneficial to the people themselves, and in any legislation that is ever before this Senate, if a compromise is in order to help the people, I will vote for the compromise. I have discovered in my short lifetime that life itself in every instance is a compromise, and much legislation has been passed both here and in every legislative hall in the various capitols of the various States, and in the United State Capitol itself, upon the basis of agreement, upon the basis of compromise.

Mr. President, where are we today after we send this bill back to Committee? We are right back to where we were on January 2, in the year of our Lord 1951. We find upon one side the Governor's Budget Director saying, "These are the figures that the Governor must have." We find the Revenue Secretary saying, "These are the figures upon which I make my prophesy of the amount of money that will come in in the next few years, this biennium," and on the other hand you have the Governor saying, "I cannot accept any figures except those given me by my Budget Director, under the Constitution and under the laws of the Commonwealth." On this side of the fence we have men saying, "No new taxes are needed, no new revenue is needed, we have sufficient taxes, expenses can be curtailed and we can meet the obligations of the Commonwealth.

Mr. President, we have the Members of this Senate who have pledged, I believe almost to the man, to give to the school teachers an added increment this year, and you are not going to give them that added increment, men and women of this State of Pennsylvania, unless you meet the problem of giving the increased revenues. That problem, now that this bill goes back to committee, becomes the problem of the Senate of Pennsylvania, because the House has already notified us, they have given us two tax packages and they are no longer in the mood or of the inclination to create any additional tax revenues for the Commonwealth of Pennsylvania.

I might say to the Members of this Senate that that night in the Finance Committee I voted to bring every tax bill that was in that committee out upon the floor of the Senate. The income tax and every other tax bill that was introduced in the House and passed over to the

Senate was given a vote by me to come out upon this floor, because, whether some men want to recognize it or not, I want to say to the Members of this Senate, that this problem is the problem of all the Senate. It is not the problem of the Republicans nor of the Democrats. It is the problem of all the Members of the Senate. We are elected in our various districts to do the duties that are given to us by the Constitution, and we are compelled to obey the Constitution and the laws of this Commonwealth to give to the people of this Commonwealth the necessary funds with which to man their government.

Mr. President, whether we agree with the Governor or not in the amount of money that he says he needs is one thing, but I say it becomes incumbent upon the Members of the General Assembly to give to the Governor that amount of money which he says is needed unless they say to him, "We will give you so much, Governor, and that is all." Then the Governor is forced to the necessity of doing what he must do in the end, taking his pruning knife and cut here and there. Either we say to him, "This is all we are going to give you," and go home within the next two or three weeks, Mr. President, or we are a group of vacillating men who have not the courage to stand up upon our feet and do the job that we are supposed to do as Members of this Senate.

Mr. President, I have often said in the Senate, and I am going to repeat it now, political victory is not so sweet that I would purge my soul to gain it. Those of us who have tasted victory know the joy of the taste, and those of us who have tasted defeat also know the bitterness of the taste. I can best describe it, Mr. President, in an incident that happened when I was a small boy in a coal mining town in western Pennsylvania. We were coming home from school one day, and I was just a little lad, and there were a group of people gathered around a house in this coal mining town, and being an inquisitive little boy and always sticking my nose in where I shouldn't, I edged my way into the room and there lying upon the floor was a woman, whose children were in school with me. She was beating her forehead upon the bare floor of that room, screaming and crying, and her heart was broken. Her husband had been killed in a mine that day, a mine falling from down in the hill, and left her with seven children, without any means of support. Her grief was great, and I never knew that kind of pain. For some reason or other, grief is something that I never had. I have lost some dear ones, but I have never really had that sense of loss that I had last Tuesday morning.

Mr. President, something happened last Wednesday morning, a lump formed, and you know to this day—I can honestly say to the Members of this Senate that those who know me know that I never wanted to be a County Commissioner—that lump has not dissolved yet. The reason it has not dissolved, Mr. President, is not because of the grief of losing a political office. It is because of the grief at the injustice and the innocent victims of that injustice, not me. Those couple hundred innocent people, who only have two and four years to go for their retirement, who have built up no security because they are only under a certain retirement system which compels them to be on the job, who are losing their jobs through no fault of their own, and the lump is caused



because I feel that I failed them in not recognizing, not recognizing to what extent some people would go in seeking revenge for a fancied wrong. I do not hate them.

Mr. President, I am going to second this motion to send this bill back to committee. I am going to second this motion in the feeling and in the sense that this bill will never be approached again during this Session of the Legislature.

Mr. President, I am going to ask the Chairman of that Committee not to call for another vote upon this bill and to announce to the people of Pennsylvania today that this bill is really dead. This bill has been built into an awful monstrosity. Some of the persons who have been opposed to it have neglected to give it even the kind of consideration that any bill ought to have. It has been considered from the light of blind opposition, prejudice against it has run high.

Mr. President, I am going to say to the people of Pennsylvania that you cannot continue to increase the cost of schools, you cannot continue to increase the cost of government on the patchwork system of taxation that we now have in Pennsylvania. That is not a new statement. I have made that statement time and time and time again upon this floor of the Senate. We have named committee after committee after committee to study the fiscal problems of the Commonwealth, and to come in with recommendations. I am going to say to you, Mr. President and Members of the Senate, we are not solving the problem, we are just postponing the day when we will have to face this problem.

Mr. President, you cannot increase these costs of government without finding some method of providing money from a broad base tax principle. Some of us have our pet projects, some of us have our pet tax schemes, and they are not always agreed upon by others, but I think there are sufficient courageous men in the Senate of Pennsylvania to pass at the right time a broad base tax.

No, Mr. President, the only thing that can be done is to create a patchwork proposition, take a deliberate figure and say this is what we think is needed, and in spite of what the Governor says or does, give him that amount and go home, because when we brought the bill out of committee we brought it out with the hope that the Legislature, the Senate of the Legislature, would be awakened to the realization that they had a job to do.

Mr. President, we have two school bills here. I doubt if any Member of the Senate will vote against them. I know I will not, because I am going back to my father's advice. I am going to let the statesman stay buried; I am going to vote for them. Where the money is coming from, let the boys worry about it. They want the legislation, we will give it to them, but you are just kidding yourselves, kidding the people. I want to say to the newspapers of Pennsylvania that they ought to step in and look at this picture realistically, admit that the Senate has failed miserably to provide an answer.

Mr. President, I said in January that we did not need any more money, and I say to you that if you take the figures of January and you maintain that schedule, you do not need any more money. Somewhere along the line the truth will come out. The whole picture was not painted in the budget. The whole truth of the last biennium was not painted in the budget. I tried to bring it on the floor. I gave the cue to those who were interested.

I tried to explain why some eighty-nine millions of dollars did not show up as a need in this budget. I tried to show where moneys were taken out of private funds, out of earmarked funds, and spent without consideration as to where that money would come from in the next biennium to replace the amount that was spent. It was not considered.

Mr. President, I want to say that I am not ashamed of any part that I have played in this Senate. I want to say that to the best of my knowledge and to the best of my ability I tried to do the job so that the people of Pennsylvania would benefit. Whether I failed or not in that job is not for any individual to judge. It is for the people to judge. Maybe their answer was given last Tuesday, I don't know, but I believe in the will of the people. I abide by the apparent decision, and I say to you Members of the Senate when you send this bill back to committee, I will second the motion to send it back, but when you do, you are not solving the problem. You are just postponing the day. Sooner or later you will have to answer just what are we going to do and how much money are we going to spend. That is your problem. Now, I tried to solve it and I failed.

Mr. BARR. Mr. President, I feel like a frustrated woman here today. I was hoping that I was going to get the opportunity to vote on this bill, House Bill No. 840, because I, too, have been kind of kicked around and mistreated a little bit in the public press and by some politicians.

Mr. President, I have in my hand here a clipping from the Pittsburgh Sun Telegraph, where the Republican Majority Leader on the other side says that not only am I for the income tax, but the Mayor of the City of Pittsburgh is for the income tax. I guess that is just one of those campaign orations. He said all I was doing was laying the groundwork so that Lawrence could be in a position to put an income tax on the people in Pittsburgh, but wants the people in Harrisburg to put it on first.

Mr. President, the only way you can defeat a bill is to vote on it on the Senate floor. Yesterday there was an editorial in one of the local papers where it said, "Barr slipped once; hope he does not slip again." I do not consider that I slipped, and if I vote against this motion to recommit, I guess the papers will say I slipped again.

Mr. President, I am going to vote against the motion to recommit just because I want the chance to vote on the bill. Everybody knows how I am going to vote on this bill, but I think we are postponing the inevitable. I do not know, I am not a Member of the Republican Caucus, they have probably taken Caucus action as to their procedure, but I think if we are men elected here to vote, we should vote this bill down rather than take the sneaky way of sending it back to committee. The only way a bill can be defeated is to be voted on twice. I was hoping that they would vote on it today, and then reconsider the vote by which it failed and then vote on it the second time, because I would like to make myself, my position, clear because when people place tags on you such as this, I am fearful the same tag will be placed on me during the next campaign when I am running for office next year. Fortunately for me, I was not running



for office this year. Unfortunately for Senator Dent, he was.

Mr. President, I think when we tried to do the right thing for the people of Pennsylvania, getting this bill out, that we have been subjected to abuse, and abuse that is not quite fair. The only way I think we can vindicate ourselves is to have a vote here on the floor of the Senate.

Mr. HULASKA. Mr. President, the record shows clearly that during the dying days of our last weeks here before the recess, that I rose in place and asked that the bill come out of committee in order to give us all the opportunity to vote on it, and I am disappointed today to see the bill going back without that privilege being afforded us. That bill should be voted upon once and for all. It should be passed or be defeated.

Mr. President, I agree with the statement made this morning by my colleague from Washington County, Senator Lane, and the one made now by Senator Dent, that we must have more taxes. We all disagreed in that statement in the early part of the year. However, after the budget was proposed to us we had several bills come over from the House dealing with hospitals, and school-teachers and State increases for pay rolls, and they should be met. That requires additional taxes, but I cannot agree with my colleague from Westmoreland County when he says we have failed in our duties. We have not failed. We are in Session, we have in the Committee on Finance today a number of bills that if acted upon and passed will give us more revenue than the income tax bill. We have the cigarette bill, C.N.I., one per cent on real estate transfers, the soft drink tax, bring it back up. There isn't any more five-cent pop, it is seven, eight, nine, ten and twelve cents. Reenact that measure, and we can take care of all of our commitments.

Mr. President, I do not believe we should vote for appropriations and not for taxation. It is our duty if we vote for appropriations to vote for taxation to meet that requirement, and I stand ready to vote for tax measures today to meet every requirement as requested by the Governor, but certainly it will not be a State income tax. The record shows that my colleagues and myself voted for every tax that came before this body this year. I believe the entire Democratic group voted for every tax measure. We have not voted "no" on one of them, but certainly it is our prerogative to say "no" on one bill. We have that right, and we do not like the income tax.

Mr. President, as I understand it, we are not going to vote for it, but we should have the right to be recorded "yes" or "no" on that bill, and if the bill goes back to committee I would not object. I hope it is killed once and for all, but in the same breath I hope that today or tomorrow we call a meeting of the Committee on Finance, and bring out the bills already passed by the House, place them before the body here and meet the requirements as requested by the Governor.

Mr. LANE. Mr. President—

The PRESIDENT. The Chair recognizes the gentleman from Washington, Mr. Lane.

Mr. LANE. Mr. President, I yield to the Minority Floor Leader.

Mr. DENT. Mr. President, in order that we get an understanding vote on this position that we are taking, I would like to withdraw my second to the motion to re-

commit, and now yield to the gentleman from Washington. Mr. LANE. Mr. President it is my position—

#### POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order. The PRESIDENT. The gentleman from Allegheny, Mr. Walker will state his point of order.

Mr. WALKER. Mr. President, unless the gentleman is on the floor to second the motion, the gentleman is out of order. As the record now stands, a motion has been made at this point and there is no seconder, and until the motion is seconded, unless that is the purpose of the gentleman from Washington, the gentleman is out of order.

Mr. LANE. Mr. President, I yield to the Majority Floor Leader.

Mr. WALKER. I yield to Senator Taylor.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Shall the Senate agree to the motion?

The PRESIDENT. The Chair cannot determine when a Senator asks for recognition what he is going to say or what he going to do. Now, how can I say that I am not going to recognize a Senator unless he prefaces his request for recognition by saying that he rises for the purpose of seconding the motion?

#### PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise to a point of parliamentary inquiry.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his point of parliamentary inquiry.

Mr. DENT. Mr. President, the gentleman from Washington County has arisen, and I presume that he has risen for the purpose of making another motion since the first motion has not been seconded. Under the rules of this Senate, can he make another motion at this time?

The PRESIDENT. No.

Mr. DENT. Before the previous motion was seconded, Mr. President?

The PRESIDENT. The first motion has to be disposed of either by refusal to second or withdrawal by the one who makes the motion.

Mr. WALKER. Mr. President, I understood the gentleman from Washington to say that he yielded to the Majority Floor Leader.

The PRESIDENT. That is correct.

Mr. WALKER. And I in turn yielded to the gentleman from Dauphin, who has seconded Senator Wood's motion, and, therefore, if the gentleman from Washington so desires, I certainly feel he should be recognized now.

Mr. DENT. Mr. President, is there a seconder to the motion now?

Mr. WALKER. The motion was seconded by the gentleman from Dauphin, Senator Taylor.

Mr. PRESIDENT, may I suggest that under the rules a motion to recommit is not debatable. If the gentleman is desirous of discussing the recommitment of the bill, of course, that is entirely in order and we will not raise the question. I do not want to prolong the debate.

Mr. LANE. Mr. President, I had planned on making another motion, and since there is a question in our minds on this side of the Senate I intend to make the motion and, of course, it is the prerogative of the Chair as to the decision he might make.



The PRESIDENT. Will the gentleman from Washington, Mr. Lane, yield?

Mr. LANE. I will, Mr. President.

The PRESIDENT. Now, the Chair wants to be absolutely impartial in his rulings. Let us reconsider the record at this point, as I understand it.

I recognized the gentleman from Washington, Mr. Lane, and he yielded the floor to the Senator from Westmoreland, who took the floor and withdrew his motion. Then Senator Taylor took the floor and seconded the motion. Now, the Majority Floor Leader takes the position that a motion to recommit is not debatable and, of course, the Chair is compelled under the rules to agree with him.

Mr. LANE. Mr. President, am I out of order to make another motion?

The PRESIDENT. Yes, the Chair regrets to advise that another motion is out of order at this time.

Up until you yielded the floor to the Minority Floor Leader, I was not going to take the position, in the absence of a seconded to the motion, as to what you might say when you took the floor.

Mr. LANE. Mr. President, I yield to the Minority Floor Leader.

Mr. DENT. Mr. President, in all rules of procedure, in all parliamentary laws, there are motions that take precedence over other motions.

#### MOTION THAT HOUSE BILL NO. 840 BE DROPPED FROM CALENDAR

Mr. DENT. At this time, Mr. President, I move that House Bill No. 840 be dropped from the calendar.

The PRESIDENT. The Chair wishes to advise the Minority Floor Leader that under the rules that motion does not take precedence over a motion to recommit.

Mr. DENT. Mr. President, I would like to see the rule because in my interpretation of the rule, it says that any motion to drop from the calendar takes precedence over a motion to recommit.

The PRESIDENT. I would like to invite the Minority Floor Leader to the desk.

(The Senate was at ease.)

Mr. DENT. Mr. President, I recognize the authority of the Chair and the written record or the printed rules. However, I think every man in the Senate who has served here for a good many years knows that a motion to drop from the calendar has always taken precedence in procedure. While it is not in the written rules it was contained in the typewritten sheets we used to hand out here. However, I am informed that the only rules in order are the printed rules, and the Chair can do nothing except abide by those rules and I cannot do anything but abide by the Chair's decision. However, I do think that my good friend from Washington County was given a little mouse trap.

The PRESIDENT. The Chair must declaim any credit for setting the trap.

Mr. DiSILVESTRO. Mr. President, I rise on a point of clarification. I would like to interrogate my colleague from Cambria, Senator Haluska.

The PRESIDENT. Will the gentleman from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. DiSILVESTRO. Mr. President, would you please

instruct the stenographer to read the first paragraph of Senator Haluska's speech?

The PRESIDENT. Will the stenographer read the opening paragraph of Senator Haluska's remarks?

(The reporter complied.)

Mr. DiSILVESTRO. Mr. President, I thought he said "vote for it." If that appears in the minutes, I wish that the correct language would be used. I thought I heard Senator Haluska say, "afford us the opportunity to vote for the bill." That is the only correction I have.

Mr. HALUSKA. Mr. President, the record speaks for itself.

Mr. LANE. Mr. President, it seems to me that we are back in the same position we were months ago. We are going to recommit this bill, and you know and I know that if the opportunity presents itself, if the Majority agrees, we can bring that bill out on the floor again. As a matter of fact, the Chairman of the Committee admitted as much quite a long time ago, and I think we are gilding the lily. I think the opposition is rather desperate in the action that they are taking today, when they take the attitude that they will declare us out of order when we wish to make another motion.

I say to you, Mr. President, that we are ducking our responsibility as Members of the Senate of Pennsylvania. There is no use for us to stand here and vote to recommit this bill, and then have it hanging over our heads from now on until we adjourn. I say we should call the bill up and defeat it today, reconsider it and call it up tomorrow and defeat it again, and then we are finished with it from then on as far as this Session is concerned. It seems to me as though those on the other side do not want to kill the bill, but want to recommit it and then hold it over our heads when we debate other tax measures. I say to you that they should reconsider the action they are taking on the other side, and bring the bill up and let us kill it once and for all. I believe that the "rebels" over there agreed off the record, to go along with us and kill the bill, and now we are recommitting and we are going to have the same problem.

I say to you, Mr. President, if they call that bill up again in the Finance Committee for reconsideration, I will resign from the committee.

Mr. ROSENFEFLD. Mr. President, in order that there be no misconstruction or misinterpretation, I would like to state for the benefit of the record, and the press, that it was the unanimous action of the Democratic Caucus to vote against this measure, and if no such vote was afforded it was the unanimous action of the Democratic Caucus that we move to take the bill from the calendar. Thus since we would not have an opportunity to do either, I do not want the vote of any Democrat on this side, whether for or against this particular motion, to be either misinterpreted or misconstrued.

Mr. WALKER. Mr. President, I want to put the mind of the gentleman from Washington at ease. I want to assure him, as I have been assured, that when this bill is returned to committee, there it will repose from now on. He will not be in any danger of having that bill haunt him any longer. We are taking it from the calendar and returning it to committee as the action of the Majority, fully convinced that the bill has no opportunity of being passed, and it will not be a recurrent issue in the Senate during this Session. Therefore, it will not be



necessary for the gentleman to tender his resignation as a very valuable Member of the Senate Committee on Finance.

Mr. BARR. Mr. President, we seem to be using the expression "mouse trap" around here today, but I think we are acting like mice instead of men, and the expression is appropriate.

So, Mr. President, I have been advised by my colleagues that people may not understand if I vote against this motion to recommit. I sometimes think it would be better to lose and do the thing right, but for fear of being told by the papers that I have slipped again, I am afraid I will have to go along with the motion.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

## CALENDAR

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I move that all bills on concurrence in House amendments, recalled from the Governor, bills on concurrence in House amendments; Reports of Committees of Conference and bills on the Third Reading Calendar, go over in their order.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

House Bill No. 1057, entitled:

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or open-

ings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for the issuance of such licenses

House Bill No. 1293, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include certain vehicles of the tractor type authorizing the Secretary of Revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines

House Bill No. 1294, entitled:

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by deleting from said act all provisions relating to operators' licenses and trailers and further providing for the equipment of tractors

House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof

House Bill No. 1505, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Senate Bill No. 615, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public



safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any lake or pond which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

Senate Bill No. 818, entitled:

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances

#### REPORTS OF COMMITTEES OF CONFERENCE

House Bill No. 238, entitled:

An Act to amend Section 256 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fish wardens to make arrests without warrants under certain circumstances.

House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid

House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-

eight hours the work week of police officers except in emergencies.

#### THIRD READING CALENDAR

House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

Senate Bill No. 869, entitled:

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payment to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired

House Bill No. 937, entitled:

An Act to amend Section 3 of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" by permitting the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

House Bill No. 967, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating



thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

House Bill No. 1312, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws

House Bill No. 1518, entitled:

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

House Bill No. 1533, entitled:

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further providing for payment of the compensation of local registrars.

House Bill No. 1644, entitled:

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

## SECOND READING CALENDAR

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 148, on second reading, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by authorizing the investment of such funds in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 149, on second reading, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by

adding a new paragraph (4) to authorize such fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 207, entitled:

An Act to further amend the second paragraph of section two of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by further providing for the appointment of the plumbing inspector in certain cases in third class cities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 431, on second reading, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 488, on second reading, entitled:

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class A for current expenses

be recommitted to the Committee on Education.

Mr. FLEMING. Mr. President, I second the motion.

Mr. BARR. Mr. President, I second the motion

The motion was agreed to.



## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 623, on second reading, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act realting to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS RECOMMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 744, on second reading, entitled:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles

be recommitted to the Committee on Highways.

Mr. FREED. Mr. President, I second the motion.  
The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 854, on second reading, entitled:

An Act to add sections 324.1 and 324.2 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 855, on second reading, entitled:

An Act to add Sections 11.1 and 11.2 to the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by the pension board to the State Employees' Retirement Board

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 856, on second reading, entitled:

An Act to add sections 10.2 and 10.3 to the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 857, on second reading, entitled:

An Act to add sections 10.1 and 10.2 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

Mr. WALKER. Mr. President, I move that Senate Bill No. 858, on second reading, entitled:

An Act to add sections 11.1 and 11.2 to the act approved the eighth day of July one thousand nine hundred forty-



one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 859, on second reading, entitled:

An Act to add Sections 10.1 and 10.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of Departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of counties and municipalities and for the furnishing of information and the transfer of certain moneys by the board to the retirement boards of counties and municipalities

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 860, on second reading, entitled:

An Act to add subdivision (d) to Article XLIII of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by pension boards to the State Employees' Retirement Board

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 861, on second reading, entitled:

An Act to add Sections 10.1 and 10.2 to the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled as amended "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political

subdivisions institutions supported and maintained by political subdivisions and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 862, on second reading, entitled:

An Act to add Sections 11.1 and 11.2 to the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain moneys by the Board of Pensions to the State Employees' Retirement Board

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 862, entitled:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the powers and duties of such police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 863, on second reading, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the disposition of fines.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1047, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L.



1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1051, on second reading, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1097, entitled:

An Act to further amend subsection (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the designation of thru highways and stop intersections in second class townships.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1116, on second reading, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1246, on second reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled: "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of the first and second class informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1287, entitled:

An Act to further amend subsection B of section one thousand nine of the act approved the fifteenth day of



May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further limiting the amount which may be invested in shares of other banking institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1331, entitled:

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to the mobilization or demobilization of civilian manpower.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1428, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing

penalties for the Violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1429, on second reading, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said laws and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an



Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1503, on second reading, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1546, on second reading, entitled:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1550, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments, boards, commissions, or officers.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendment:

Amend Sec. 1 (Sec. 1), page 7, lines 1 to 8, by striking out "Obligations of the Penn-" in line 1, all of lines 2

to 8, inclusive, and inserting in lieu thereof: "All revenue bonds, notes or other obligations of the Commonwealth, payable solely from revenues or other funds of the Pennsylvania Turnpike Commission and issued by the Pennsylvania Turnpike Commission pursuant to the laws of the Commonwealth."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading as amended?

#### BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1550, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I move that the remaining bills on the Second Reading Calendar, go over in their order.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or including holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" increasing the fees charged by the Pennsylvania Securities Commission.

House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers



and employes to asses and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

House Bill No. 1567, entitled:

An Act to amend subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

House Bill No. 1581, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use.

House Bill No. 1585, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority.

House Bill No. 1587, entitled:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the

Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority.

House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority.

House Bill No. 1607, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquid petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor.

House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidate primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board.

House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties.



## House Bill No. 1648, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election.

## House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened.

## House Bill No. 1664, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators

thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

## House Bill No. 1671, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads.

## House Bill No. 1680, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in case of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

## ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, November 27, 1951, at 4 o'clock, p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:34 o'clock, p. m., Eastern Standard Time, until Tuesday, November 27, 1951, at 4 o'clock, p. m., Eastern Standard Time.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, NOVEMBER 27, 1951.

No. 92.

## SENATE

TUESDAY, November 27, 1951.

The Senate met at 4 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Lord of all good life, we lift our thoughts to Thee. Be Thou our Master every day, our nearest Friend when we are alone, our strong Saviour when we are tempted to be shabby in our work or shady in our dealings, our Guide in all we think or do. Thou lovest the best in us, O Lord; accept nothing but the best from us.

Touch us with a searching sense of Thy nearness. Give us so much of Thyself that we cannot be little or narrow. Keep us clean, O Lord. Make us strong in the daily round of duty and care, poised and confident in the face of trying tasks and heavy burdens, and joyous and glad as we strive to be true to the highest.

In Jesus' name, Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. CROWE, further reading was dispensed with, and the Journal was approved.

### EXECUTIVE SESSION

Mr. WALKER. Mr. President, I move that the Senate do now resolve itself into Executive Session for the purpose of considering some remarks allegedly made by the gentleman from Cambria, Senator Haluska.

Mr. WADE. I second the motion, Mr. President.

The PRESIDENT. It has been moved by Senator Walker, and seconded by Senator Wade, that the Senate do resolve itself into Executive Session for the purpose of considering remarks made by the gentleman from Cambria, Mr. Haluska. All in favor of the motion let it be known by saying "aye."

(Carried)

The PRESIDENT. The Senate is now in Executive Session.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Cambria, Senator Haluska.

The PRESIDENT. Will the gentleman from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. WALKER. Mr. President, I have before me a copy of one of the metropolitan papers of the city of Pittsburgh in which there is, in quotes, a statement attributed to the gentleman from Cambria. I read the quote to him:

"I was offered sufficient patronage that if used to my advantage I would be sitting pretty the rest of my life."

The quotation, Mr. President, is with reference to House Bill No. 840, commonly called the flat income tax bill. Now, I ask the gentleman from Cambria, Mr. President, if the quotation I just read to him is correct, and ask him if he made that statement.

Mr. HALUSKA. Mr. President, it sounds very familiar.

Mr. WALKER. Mr. President, may I ask the gentleman, so that I understand, did he make that statement?

Mr. HALUSKA. Mr. President, I made no statement in this Chamber at any time. I made certain statements at a public gathering, at a public court house in the county of Cambria, and I said then that I shall make no further statement except on the advice of my counsel, unless the Senate of Pennsylvania wishes to hear my statements, that I shall waive immunity and I want those whom I mentioned to waive immunity, and I shall answer any questions asked me without any hesitation, without shadow-boxing, to a constituted body of this forum, will take oath and make those who are involved waive immunity.

Mr. WALKER. Mr. President, I desire to further interrogate the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria, Mr. Haluska, permit himself to be further interrogated?

Mr. HALUSKA. Yes, Mr. President.

Mr. WALKER. Mr. President, I have before me a copy of the Johnstown Democrat, from Monday morning, October 15, and with the gentleman's permission I would like to read it.

"Senator John J. Haluska yesterday charged that he had been offered a bribe if he would abandon his opposition to the proposed State income tax. Speaking at a Democratic meeting in Ebensburg Court House, Senator Haluska declared, 'I was offered enough that I would not have to work for the rest of my life if I would withdraw my opposition to the income tax measure.'"

Mr. President, I would like to ask the gentleman if that is a correct quotation of what he said at that time.

Mr. HALUSKA. It sounds familiar, Mr. President.

Mr. WALKER. Mr. President, so that I understand, may I ask the gentleman, did he make such a statement at that time?



Mr. HALUSKA. Mr. President, it sounds very familiar. Mr. President, may I interrogate the gentleman from Allegheny County?

Mr. WALKER. Now, Mr. President, I have no objection to returning a favor, but if we could just get a yes or no answer I would appreciate it very much, and then I could put the gentleman in a position to interrogate me.

Mr. HALUSKA. Mr. President, I think I answered the question fairly. I say it sounds very familiar.

Mr. WALKER. Mr. President, all I am asking the gentleman from Cambria is, did he make the statement?

Mr. HALUSKA. Mr. President, will you read the statement again so I can follow you very carefully?

Mr. WALKER. I will read the first couple paragraphs of this newspaper, Mr. President.

"Senator John J. Haluska yesterday charged that he had been offered a bribe if he would abandon his opposition to the proposed State income tax. Speaking at a Democratic meeting in Ebensburg Court House, Senator Haluska declared, 'I was offered enough that I would not have to work for the rest of my life if I would withdraw my opposition to the income tax measure.'"

Now, did you make that statement?

Mr. HALUSKA. It sounds as if I made a statement similar to that, yes. I cannot follow every word, but it sounds very familiar, and I will say on the whole it sounds nearly like the statement I made.

Mr. WALKER. Mr. President, I now invite the gentleman from Cambria, Senator Haluska, to present to the committee of the whole, which is the Senate now in Session, any substantiating evidence he might have to corroborate the facts on which this statement is based.

Mr. HALUSKA. Mr. President, may I interrogate the gentleman from Allegheny County, Senator Walker?

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. HALUSKA. Does the Senator from Allegheny County recall—I do not have the papers with me, they are down in my hotel room—a quotation in the Pittsburgh Press, as of last Sunday, wherein he stated that since the Senator from Cambria County made a remark at a public meeting, that he feels definitely that he should answer them at a public meeting, and that he, as one, will agree to that. Will the gentleman now agree to that?

Mr. WALKER. Mr. President, I think that this is just about as public as you could possibly get it. The Senate has resolved itself into a committee of the whole for the purpose of considering these charges. The gentleman certainly cannot say that this is a private hearing because it is in the open Senate, with the public and the newspapermen gathered. It is not a Senate Session because the committee of the whole has been resolved by going into Executive Session, and I now invite the gentleman to present whatever evidence he has to substantiate the charges which he made at that Ebensburg meeting.

Mr. HALUSKA. Mr. President, I did not ask for a speech. I asked, will he or will he not agree to the statement that he made as to a public hearing?

Mr. WALKER. Mr. President, we are giving the gentleman a public hearing right here and now.

Mr. HALUSKA. Now, Mr. President, let's not make mockery of this. This is just what I feared. He knows this is not a public hearing, he knows full well. He has

been in this Chamber long enough to know that I cannot have counsel, neither can he or anybody else while the Senate is in Session, and I have asked for the body to be formed, set up by the Chair or by the body as a whole, wherein I may have counsel at my side, and in the same breath those who may be involved, that they may have counsel, but as long as we are in Session he knows full well that is not possible. Therefore, this is not a public hearing.

Mr. WALKER. Mr. President, may I say to the gentleman from Cambria, and I am not trying to take advantage of him because of the fact that I happen to be a member of the bar, but he certainly does not need a lawyer to state to the gentlemen of the Senate, resolved here in a committee of the whole, as to who offered him what, when, where, and that is the information I think the Senate is entitled to.

Mr. HALUSKA. Mr. President, the Senate will have that information, if they set up the proper mechanics to do it, and it will only take a few minutes to do that. I want the gentleman to answer my question, does he believe in what he said in the papers, wherein he stated that he believes that I should make my remarks at a public hearing, and he is for that. That was his quotation. Does the gentleman from Allegheny County retreat from that position now?

Mr. WALKER. Mr. President, I certainly am not retreating from that position. The gentleman has a public hearing, just as public as he can get. The only thing the gentleman is complaining about is whether or not he has a lawyer. I repeat, Mr. President, he certainly does not need a lawyer to tell the gentlemen of the Senate, against whom the accusations were made, as to who offered him what, when, where. Now, he is getting a public hearing. I am merely asking him to submit, to make a tangible statement.

Mr. HALUSKA. Mr. President, the gentleman may think for himself, but he cannot think for me. If he wants to have a mock session, make mockery of this, that is his privilege, but I am only asking him one question. First of all, did he make that remark in the newspaper and does he believe in it now? If he waits a few minutes, I will go down in the hotel room and get that paper, and quote the exact words.

Mr. WALKER. Mr. President, I am agreeing to a public hearing. I am trying to give it to the gentleman now. I am insisting that the game be played on the field where the accusations were made. The Senate is involved in this, and this is a Senate matter, and the Senate has resolved itself into a committee of the whole and I am giving the gentleman the opportunity. I assured him he would have the opportunity of making a public statement, in public before a committee of the whole, and that is what he has here.

Mr. HALUSKA. Mr. President, I am taking his remark that he believes that the statement should be cleared where the accusation was made. I am glad he made that remark. He is smart, but he slips sometimes. The accusation was made in public, according to his own words, and should be answered in public. Is he agreed to this? I did not make it in the Senate Chamber. I will make it in the same chamber when the Session is recessed, and counsel is at my side, where I may be interrogated and we may interrogate. That has been done before in Pennsylvania.



If Members of this body are interested to know what is happening and to know what I have to say, how can any of you vote against a public hearing and a fair trial where counsel may be procured?

Mr. WALKER. Mr. President, I would like to advise the gentleman from Cambria that the accusation made involves the other forty-nine Members of the Senate, a majority of whom are sitting here now as a committee of the whole, having resolved itself into Executive Session, and we are giving the gentleman from Cambria the opportunity at this time to state publicly who offered him what, when, where.

Mr. HALUSKA. Mr. President, I am giving the gentlemen of the Senate the opportunity to hear me under oath. Only a coward will hide behind immunity, and I am no coward, and the men in this Chamber are not cowards, I am sure they are not. Every man in this Chamber is interested in knowing the truth, and I want to testify to this Chamber, to the press, to the public and to my God under oath and that I shall do at the first opportunity.

Mr. WALKER. Mr. President, I might remind the gentleman that when we entered in upon our duties as Senators we took an oath, and the gentleman is still under that oath because the oath lasts as long as his tenure in office exists, and as I gather now from the gentleman, he refuses to state before this Senate who offered him what, when, where. Does the gentleman refuse to answer that?

Mr. HALUSKA. Mr. President, I do not refuse to answer, not at a public hearing. If the gentleman is interested to know the truth, I am not welching one bit. I shall name places, I shall name names, I shall name the offer when I am under oath, and I want those to answer under oath, and I am entitled to my rights to have counsel at my side. This is a serious matter. I never made those remarks in the Chamber. I made them at a public hearing. I shall answer them at a public hearing at the first opportunity afforded me.

Mr. WALKER. Mr. President, do I understand then that the gentleman refuses to answer the interrogation?

Mr. HALUSKA. Mr. President, I do not refuse to answer any interrogation. I want to know whether the gentleman from Allegheny refuses to stand by what he said. I am interrogating him.

Mr. WALKER. Mr. President, I was distinctly under the impression that I propounded an interrogation of the gentleman if he would please advise us who offered him what, when, where. I now ask him, does he now refuse to answer here before the Senate when we are resolved into Executive Session?

Mr. HALUSKA. Mr. President, I shall answer those questions when the proper mechanics are set up, and everybody will have the opportunity to hear them. I shall answer them under oath by waiving any immunity that may be around me, and I want those who question me and those that are involved to waive the same immunity, and if the gentleman from Allegheny County wants to be technical that is one thing, but if he is deeply interested in knowing the truth and knowing full well that I said repeatedly that I stand ready to tell all that I know when the proper mechanics are set up, how can he deny me that right?

Mr. WALKER. Mr. President, as I gather it then, the gentleman refuses to answer the question before the Sen-

ate, resolved into Executive Session, as to who offered him what, when, where?

Mr. HALUSKA. Mr. President, I refuse nothing. I shall answer those questions when the proper mechanics are set up, under oath.

Mr. WALKER. Mr. President, I understand then that the gentleman will only answer the questions providing he can arrange the mechanics.

Mr. HALUSKA. Mr. President, I have nothing to do with arranging mechanics. I have no knowledge whether there would be a committee of fifty men set up, whether there will be a committee of ten men set up, five Republicans and five Democrats, whether nine Republicans and one Democrat or ten Republicans. I do not care. To me it makes no difference. I trust in everyone. You may set up your own mechanics, a constituted body, and I have nothing to say or I cannot dictate your policy. I shall abide by your decision.

Mr. WALKER. Mr. President, I think it is pretty obvious to the gentleman from Cambria what the decision is. We have provided the mechanics, we have set up a committee of the whole, the Senate is resolved into Executive Session, and the gentleman is being given the opportunity of advising the Senate who offered him what, when, where.

Mr. HALUSKA. Mr. President, the gentleman from Allegheny County will be given the opportunity to hear what has been offered why, where, and when. He is now given that opportunity, but it is quite evident that he does not want to hear it. He wants to hear it on his own terms.

Mr. WALKER. Mr. President, I want to hear it now. That is what I am saying to him. I am giving him a chance to say now in the presence of this Senate who offered him what, when and where.

Mr. HALUSKA. Mr. President, I am giving the gentleman from Allegheny a chance to set up the mechanics to hear it.

Mr. WALKER. We set up the mechanics, Mr. President, and I think it comes with poor grace for the gentleman at this time to suggest that after the Senate, or a majority of the Senate, decided how they desire to hear him, that he is now attempting to set up his own rules under what circumstances he will tell this Senate whether or not he has a prima facie case to institute or to carry on any investigation. All we are asking the gentleman, Mr. President, is to tell the Members of the Senate who are directly involved in the statement he made in Ebensburg as to who offered him what, when and where.

Mr. HALUSKA. Mr. President, I am not refusing to tell that when the proper mechanics are set up, but it appears to me he wants to play the game his own way or take the ball and bat and go home. He has made his own rules, he has not consulted anybody. This is the rule, we shall hear it now or not at all. I say I am entitled to counsel.

This is a serious matter. Precedent has been set in Pennsylvania in cases of this nature, and they had counsel. They had a hearing, and I am entitled to my constitutional right to have counsel at my side, and then they may ask me any question. There will be no pleading, no crying. I will do the talking.

Mr. WALKER. Mr. President, I might remind the



gentleman from Cambria that this does have precedence, that during my short tenure here in the Senate I recall a similar incident when charges were made by a Member of the Senate, not on the Senate floor, and later the gentleman was called to account for the matters that he had stated, and the procedure followed is the identical procedure we have followed up to this point, with this exception, Mr. President. When given an opportunity and when the question was propounded to him, the gentleman involved answered the question.

Mr. HALUSKA. Mr. President, if I have knowledge of the case he is referring to, if my memory serves me correctly, there was a committee set up, I think, of both the House and Senate in that case. Is that true?

Mr. WALKER. No, Mr. President, it is not true. It was heard right here on the Senate floor in Executive Session, and the gentleman from Fayette, Senator Cavalcante, was the gentleman involved, and he made the statements and answered them from the seat which I think you now occupy in the Senate.

Mr. HALUSKA. Mr. President, is it not true that a committee was set up in that case and Cavalcante refused to attend the meeting?

Mr. WALKER. Mr. President, a similar committee is set up now, a committee of the Senate of the whole.

Mr. HALUSKA. Mr. President, you will find it was a committee of the Senate and the House if you check the records.

Mr. WALKER. Well, I will not argue, Mr. President. I gather the gentleman will not answer the interrogation at this point.

Mr. HALUSKA. Mr. President, I want to say that I will answer the questions if Members of the Senate are interested in knowing the truth with reference to the remarks I made at the Court House in Cambria County. I shall answer the question, and I repeat for the last time I shall mention names, I shall mention places, I shall mention the offer with regard to my position on the income tax if and when they want to hear it, but if they are going to hide behind technicalities, I am convinced, in my own mind, and the people of Pennsylvania are convinced, that they are not interested in knowing the truth. They want to have a one-way ticket, and that is not going to be. I am entitled to my rights, and I say let it be a matter of record. I will answer every one of the questions that is brought to me about the newspaper clippings in order. It will take me less than ten minutes to answer them, and then I want to be interrogated, and I want to interrogate and my own counsel wants to interrogate, and he can be interrogated.

Mr. WALKER. Mr. President, I submit to the gentleman, that the people of Pennsylvania will clearly understand that he was given an opportunity to state anything he had, to corroborate the statements he made and at this time he refuses to answer.

#### EXECUTIVE SESSION RISES

Mr. WALKER. Mr. President, I move that the Executive Session do now rise.

Mr. WOOD. Mr. President, I second the motion. The motion was agreed to.

#### LEAVES OF ABSENCE

Mr. Hare asked and obtained leave of absence for Mr. SCARLETT, because of illness.

He also asked and obtained leave of absence for Mr. McPHERSON, because of illness in the family.

He also asked and obtained leave of absence for Mr. DIEHM, because of illness.

He also asked and obtained leave of absence for Mr. KEPHART, because of business.

#### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### WORKMEN'S COMPENSATION REFEREE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Fraser P. Donlan, 206 Third Street, Blakely, Olyphant, Lackawanna County, for appointment as Workmen's Compensation Referee, to serve until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### MEMBER OF THE ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Esther J. Tinsley, Pittston, Luzerne County, for appointment as a member of the Advisory Hospital Council, from December 13, 1949, until November 18, 1952, and until her successor shall have been appointed and qualified.

JOHN S. FINE.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elva M. Pearce, 215 Orchard Lane, Edgeworth, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Edgeworth, Allegheny County, until the first Monday of January 1954, vice Stewart M. Morgan, Jr., resigned.

JOHN S. FINE.

#### MEMBER OF THE WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard G. Krupp, Chalfont, Bucks County, for appointment as a member of the Washington Crossing Park Commission.



sion, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, vice Arthur M. Eastburn, Esq., Doylestown, resigned.

JOHN S. FINE.

JUDGE OF THE COURT OF COMMON PLEAS,  
SEVENTH JUDICIAL DISTRICT

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin H. Satterthwaite, Esq., Doylestown, Bucks County, for appointment as Judge of the Court of Common Pleas in and for the Seventh Judicial District, composed of the County of Bucks, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

TREASURER, COUNTY OF BRADFORD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harlan G. Murrelle, 702 West Lockhart Street, Sayre, Bradford County, for appointment as Treasurer in and for the County of Bradford, until the first Monday of January, 1952, vice Raymond V. Soper, resigned.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on November 27, 1951.

Mr. WOLFE. Mr. President, I second the motion.  
The motion was agreed to.  
The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

MONTGOMERY COUNTY

Harvey L. Alderfer, Souderton  
Lester K. Geyer, Upper Gwynedd Twp., Lansdale  
L. F. Mettetal, Ambler  
Mrs. Edna G. Sandy, Horsham Twp., Willow Grove  
Harold B. Weber, Collegeville  
Lee H. Woodling, Royersford

PHILADELPHIA COUNTY

George W. Henry, 3rd, 5815 Erdrick St., Philadelphia  
Miss Anna Latrano, 2000 S. 15th St., Philadelphia

YORK COUNTY

Clair M. Shepp, York

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOLFE. That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peclor,	Wade,
Blass,	Lane,	Proper,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION

The Chair cleared his table and laid before the Senate the following communication from the Honorable Abba Eban, which was read by the Clerk as follows:

EMBASSY OF ISRAEL

Washington, D. C.  
November 16, 1951

Dear Lt. Governor Wood:

Senator Stiefel has sent me a copy of Senate Resolution No. 96, adopted in the Senate of the General Assembly of Pennsylvania on September 24, 1951.

I write to convey my Government's deep appreciation of the action of the Senate of the General Assembly of Pennsylvania on behalf of the Penn-Israel Amity Woodland Project. The proposal to plant half a million trees in the hills of Jerusalem illustrates the constant friendship and sympathy which the leaders of the State of Pennsylvania have always shown towards Israel's aspirations and interests. The founders of your Commonwealth, including the great William Penn himself, were powerfully influenced by the Hebrew tradition. Indeed, I believe that the Hebrew language was a common subject of study by the Quaker pioneers. The Senate of your General Assembly has thus given expression to a continuous tradition, reaching far back into the origins of the Commonwealth. I have observed with gratitude the support given by the Pennsylvania Representatives in the Senate and House of Representatives of the United States to the legislation securing the inclusion of Israel in the Mutual Defense Program.

I share your hope that the trees characteristic of Penn-



sylvania, may prove adaptable to the climate and soil of our country. In any case, whatever trees are planted in the name of the Commonwealth of Pennsylvania, will be a fitting symbol of the friendship between us, and of our common interest in the restoration of fertility and beauty to the barren areas of the world.

May I hope that this expression of appreciation will be made known in suitable form to the Senate of the General Assembly of the Commonwealth of Pennsylvania.

I remain,

Yours very sincerely,  
ABBA EBAN  
Abba Eban.

The Honorable,

Lloyd H. Wood,

Lt. Governor of Pennsylvania

## BILLS INTRODUCED AND REFERRED

Mr. WATSON read in his place and presented to the Chair, Senate Bill No. 881, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair, Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.

Which was committed to the Committee on Highways.

Mr. WOOD read in his place and presented to the Chair Senate Bill No. 883, entitled:

An Act to amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (Act No. 264), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties," by clarifying certain provisions thereof; and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

Which was committed to the Committee on Public Health and Welfare.

Mr. ROBINSON read in his place and presented to the Chair Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," by increasing the maximum amounts of payments by the State for registered and unregistered cattle.

Which was committed to the Committee on Agriculture.

He also read in his place and presented to the Chair Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds, where the acknowledgment of such deed or deeds was defective in any respect, or sale thereof not legally returned, if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments, and return duly made at a subsequent term.

Which was committed to the Committee on Judiciary General.

Mr. PEELOR read in his place and presented to the Chair Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of May, one thousand eight hundred seventy-four (P. L. 159), entitled "An act relating to compulsory arbitrations," by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration," by providing, by rule of court, for the arbitration of certain suits at issue and prescribing the procedure; the appointment and compensation of arbitration and the payment of fees and costs in such cases.



Which was committed to the Committee on State Government.

Messrs. KESSLER and LEADER read in his place and presented to the Chair Senate Bill No. 889, entitled:

An Act to further amend Section 3704 of the act, approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by further providing for fixing compensation to certain officers and employees.

Which was committed to the Committee on Local Government.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 890, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Which was committed to the Committee on Reapportionment.

### SENATE RESOLUTION

FELICITATING DR. ROBERT LIVINGSTON JOHNSON,  
PRESIDENT OF TEMPLE UNIVERSITY

Messrs. CHAPMAN, STIEFEL, MEADE, McCREESH, SILVERT, ROSENFELD, NEFF, HALUSKA, YOSKO, WALKER, RUTH, LANE, BANE, DiSILVESTRO, LEADER and BYRNE, offered the following resolution which was read, considered and agreed to:

In the Senate, November 27, 1951.

Whereas, On December 4, 1951, Dr. Robert Livingston Johnson will round out his first decade of service at the helm of Temple University in the capacity of its third president; and

Whereas, Under the presidency of Dr. Robert Livingston Johnson, this great American Seat of Learning "built on Acres of Diamonds" has continued its sustained phenomenal expansion, steadily forging ahead to the very vanguard of the Nation's leading university-systems; and

Whereas, During the presidency of Dr. Johnson, the student enrollment of Temple University soared from less than 13,000 in 1941 to slightly more than 24,000 in 1950 and some 350 members have been added to the faculty; and

Whereas, With all its expansion of facilities during the

last decade and the greatly increased number of students, Temple's reputation for quality has not only been maintained, but has been substantially increased, a feat of no mean proportions, attributable primarily to Dr. Johnson's indefatigable drive, zeal and energy; and

Whereas, The effulgence of Dr. Johnson's leadership marked by a creative blend of profound efficiency, organizational ability, indomitable spirit and magnetic personality, has rendered a great service to the Commonwealth of Pennsylvania by providing a superior, well-founded college educational program for tens of thousands of Pennsylvanians generally and those of the lower and middle income groups in particular; and

Whereas, During the recent global war Dr. Robert Livingston Johnson mobilized and placed all of the facilities and resources of Temple at the disposal of the Federal Government, the Commonwealth of Pennsylvania, and the City of Philadelphia; and

Whereas, Dr. Johnson's adroit leadership is contributing at the present to the successful drive for the expansion of Temple University Hospital which upon reaching the goals will create under the aegis of the School of Medicine of Temple University, now among the outstanding in the Nation, a Medical Center of monumental proportions; and

Whereas, His anchorage in the finest traditions of American Democracy and rich store of experience garnered through unselfish services in various fields of manifold educational endeavors, single out Dr. Robert Livingston Johnson as a Pennsylvanian whose greatness is mounting to towering proportions; and

Whereas, On Saturday, November 24, 1951, hosts of Dr. Johnson's well-wishers and admirers have celebrated in Philadelphia the completion of a decade of his services as the third president of Temple University; now therefore be it

Resolved, That on behalf of the people of Pennsylvania, the Senate of the General Assembly of Pennsylvania extends hereby its felicitations to Dr. Robert Livingston Johnson upon attaining another milestone in his fruitful services to our Nation, the Commonwealth of Pennsylvania and the City of Philadelphia; and be it further

Resolved, That the Secretary of the Senate be and is hereby directed to forward copies of the instant Resolution, following its passage to Dr. Robert Livingston Johnson and the members of the Board of Trustees of Temple University.

### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation



the following nominations, made by His Excellency, the Governor:

#### TREASURER, COUNTY OF BRADFORD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harlan G. Murrelle, 702 West Lockhart Street, Sayre, Bradford County, for appointment as Treasurer in and for the County of Bradford, until the first Monday of January 1952, vice Raymond V. Soper, resigned.

JOHN S. FINE.

#### JUDGE OF THE COURT OF COMMON PLEAS, SEVENTH JUDICIAL DISTRICT

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin H. Satterthwaite, Esq., Doylestown, Bucks County, for appointment as Judge of the Court of Common Pleas in and for the Seventh Judicial District, composed of the County of Bucks, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

#### MEMBER OF THE WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard G. Krupp, Chalfont, Bucks County, for appointment as a member of the Washington Crossing Park Commission, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, vice Arthur M. Eastburn, Esq., Doylestown, resigned.

JOHN S. FINE.

#### WORKMEN'S COMPENSATION REFEREE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Fraser P. Donlan, 206 Third Street, Blakely, Olyphant, Lackawanna County, for appointment as Workmen's Compensation Referee, to serve until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Ed. O. Golden, Esq., Kittanning, Armstrong County, for appointment as a member of the Board of Trustees of Pennsylvania Training School at Morganza, for the purpose of confirmation.

The Clerk read the nomination as follows:

#### MEMBER OF THE BOARD OF TRUSTEES OF PENN- SYLVANIA TRAINING SCHOOL AT MORGANZA

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ed. O. Kolden, Esq., Kittanning, Armstrong County, for appointment as a member of the Board of Trustees of Pennsylvania Training School at Morganza, from August 19, 1949, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

Whereupon,

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		



## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

## REPORTS FROM COMMITTEES

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on State Government, reported as committed, Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by extending the time within which regulations must be filed in the Department of State.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg, Pennsylvania with private capital, the solicitation of such capital, and the acceptance of such chapel by the Commonwealth

## CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS,  
RECALLED FROM THE GOVERNOR

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 900, on concurrence in House amendments recalled from the Governor, entitled:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth

liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1057, as follows:

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots and mausoleum spaces or openings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" is hereby amended by adding after Section 6 a new section to read as follows

Section 6.1 (a) The department is hereby authorized and empowered to issue limited real estate brokers' and salesmen's licenses to any person copartnership association or corporation desiring to engage in or carry on the business or act in the capacity of a real-estate broker or a real estate salesman within the Commonwealth exclusively within the limited field or branch of such business which applies to cemetery lots plots and mausoleum spaces or openings and for such purpose the commission shall conduct limited examinations as are in the judgment of the commission necessary to ascertain whether the applicant for such limited licensures has a proper knowledge of that field

(b) Applicants for said limited licensure shall first submit to and pass an examination prepared by the commission such examinations to be conducted at such times in such special field and subject to such conditions as the commission by rules and regulations shall prescribe

(c) Limited licenses issued by the department under the provisions of this section shall clearly state on the face thereof the field to which such limited license is applicable and the holder of any such limited license shall not engage in or carry on the business or act in the capacity of a real estate broker or real estate salesman except in the limited field for which he holds the license

(d) Except as herein otherwise provided all the provision of this act shall apply to applicants for and persons holding limited licenses issued by the department under the provisions of this section

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?



SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO HOUSE BILL No. 1057, RECALLED  
FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1057, recalled from the Governor for the purpose of amendment.

Mr. WATKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1293, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicles registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties' by clarifying and extending the provisions of the act to include certain vehicles of the tractor type authorizing the Secretary of Revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1294, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of

Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by deleting from said act all provisions relating to operators operators' licenses and trailers and further providing for the equipment of tractors

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY  
THE HOUSE TO HOUSE BILL No. 1404,  
RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to House Bill No. 1404, recalled from the Governor for the purpose of amendment.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1505, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring



certain powers and duties upon the Department of Welfare and providing penalties" is hereby amended by adding after Section 5 thereof a new section to read as follows

Section 5.1 No person who because of inability to satisfy the character requirements deemed necessary by the department has been refused a license shall thereafter be in any way connected with any private nursing home or any private hospital licensed pursuant to the provisions of this act

Section 2 Section 6 of said act is hereby amended to read as follows

Section 6 Whenever the Department of Welfare shall upon inspection investigation or sworn complaint learn of any violation of rules or regulations adopted by the department or any failure to establish provide or maintain standards and facilities required by the department it shall give written notice thereof to the offending licensee The department may revoke the license of said license if such violations do not cease or such standards and facilities are not established or brought in conformity with those prescribed by the department [three] two months after such written notice

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1505, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1505, recalled from the Governor for the purpose of amendment.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel.
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

##### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation

of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayor burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties viding for refunds" by increasing annual registration fees miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any lake or pond which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 796

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 796.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONNCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 818 as follows:

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further



regulating publication of notice of land subdivision ordinances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 3062 Public Hearing No such regulations shall first be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard Notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Commissioners or if none has been so designated then in a paper of general circulation in the township once a week for two successive weeks The provisions of the ordinance need not be advertised in full as in other cases A brief summary setting forth the principal provisions of the proposed ordinance and a reference to the place or places within the township where copies of the proposed ordinance may be examined shall be incorporated in the official notice

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 818

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 818.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Hoiland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Silvert,	Wolfe,
DiSilvestro,	McGinnis,	Snowden,	Wood,
Fleming,	McMenamin,	Stevenson,	Yosku,
Freed,			

#### NAYS—1

Lane.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 238

The Senate proceeded to the consideration of the re-

port of Committee of Conference on House Bill No. 238, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 238

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 238, entitled: "An act to amend Section 256 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled 'An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth,' by authorizing fish wardens to make certain arrests with warrants under certain circumstances."

Respectfully submit the following bill as our report:

SAMUEL B. WOLFE,  
ROWLAND B. MAHANY,  
SAMUEL G. NEFF,  
(Committee on the part of the Senate.)

ALLEN M. GIBSON,  
GEORGE C. SHOEMAKER,  
HARRIS G. BRETH,

(Committee on the part of the House of Representatives.)

An Act to amend Section 256 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth by authorizing fish wardens to make certain arrests with warrants under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 256 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lake and boundary rivers of the Commonwealth" is hereby amended to read as follows

Section 256 Powers of Fish Wardens A fish warden shall have power

(a) To enforce all the laws of the Commonwealth relating to fish (b) to execute all warrants and search-warrants for the violation of the fish laws (c) to serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to fish (d) to carry firearms or other weapons in the performance of his duties (e) to search without warrant any boat conveyance vehicle fish-box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated (f) to seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or have been shipped or about to be shipped contrary to the laws of this Commonwealth fish so seized shall be disposed of in any manner as the Commissioner may direct (g) to enter upon any land or water in the performance of his duty (h) to demand and secure proper assistance in case of emergency (i) to purchase fish for the purpose of securing evidence (j) to arrest with a warrant any person found in the act of doing any of the following offenses without permission of the owner or in pursuit immediately following the doing of any such offenses (1) obstructing an owner or his tenant ingress egress or regress to his property or cattle ways (2) digging in or driving upon fields under cultivation (3) leaving garbage bottles cans rubbish or any other type of debris in or along streams or adjacent lands (4) leaving gates open breaking or cutting down fences



Any person convicted of committing any of the offenses set forth above shall be sentenced to pay a fine of ten dollars (\$10) and costs for each such offense and upon a second conviction for any such offense shall have his license revoked for a period of one year

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 238

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 238.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Silvert,	Wolfe,
DiSilvestro,	McGinnis,	Snowden,	Wood,
Fleming,	McMenamin,	Stevenson,	Yosko,
Freed.			

#### NAYS—1

Lane.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1102

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1102, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1102

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1102, entitled: "An act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid."

Respectfully submit the following bill as our report:

GEORGE W. WADE,  
SAMUEL G. NEFF,  
CHARLES R. MALLERY,  
(Committee on the part of the Senate.)  
ROBERT F. KENT,  
EDWIN W. TOMPKINS,  
THEODORE H. SCHMIDT,

(Committee on the part of the House of Representatives.)

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Commonwealth any political subdivision of the Commonwealth and any corporation or association maintaining a hospital in this State in which medical and surgical services are rendered to the public shall have a lien upon any and all rights of action and counterclaims which any person admitted to any such hospital for care and treatment of personal injuries wilfully or negligently inflicted shall have against any other person firm or corporation on account of such injuries provided that such lien shall be effective against only that portion of funds recovered or paid on settlement remaining after the payment of reasonable attorneys fees and court costs incurred in the prosecution of the said rights of action and counterclaims The extent of such lien shall be the amount of the reasonable charges of such hospital for the care and treatment of such injured person but the per diem rate for room and board included in such charges shall not exceed the rate for room and board in the public ward of such hospital

Such lien shall exist only if a notice in writing as herein provided is filed on behalf of the hospital in the office of the prothonotary of the county in which an action or counterclaim was commenced or filed by such injured person or in case of his death by his personal representative prior to the payment over by the defendant in the action of any moneys as compensation for such injuries Such notice shall be filed to the number and term of such action and shall set forth (a) the name and location of the hospital (b) the name and address of the injured person (c) the date of the injury and (d) an itemized statement of the charge of the hospital for the care and treatment of the injured person It shall be the duty of the authority filing any such notice in the office of the prothonotary to mail postage prepaid a copy of such notice to the defendant alleged to be liable to make compensation for the injuries sustained if his address is known or to his attorney of record and if known to any insurance carrier which has insured him against such liability

Section 2 After notice has been filed as provided in section one of this act the lien of the Commonwealth the political subdivision the corporation or association for the amount of the reasonable charge of the hospital for the care and treatment of any injured person as provided in section one of this act shall also attach to any verdict or judgment rendered or entered in any action or on any counterclaim brought in the county by such injured person or by the personal representative of the estate of such injured person in case of the death of the injured person against any defendant for the recovery of damages on account of injuries received as well as to any moneys paid or payable by such defendant in settlement of any action or counterclaim to the injured person or his personal representative

Section 3 After a lien attaches to a verdict judgment or moneys payable in settlement of any action or counterclaim as provided in section two of this act no satisfaction of such judgment shall be entered on the record of such action and no moneys shall be paid over by the defendant in settlement of the claim of the injured person or his personal representative bringing such action or counterclaim until the lien of the hospital has first been paid in full not however exceeding the amount of the full and true consideration payable by the defendant Unless the lien of the hospital is so paid the defendant shall remain liable to the Commonwealth the political subdivision or the corporation or association operating the hospital in which the care and treatment was provided to such injured person and a right of action shall exist to enforce said lien against the defendant for a period of one year



from the time of the satisfaction of the judgment or the payment over of the moneys in settlement of such action or counterclaim

Section 4 Any notice filed under and in accordance with this act shall be noted on the docket record of the cause of action to which it relates as a hospital lien noting the amount of the lien

Section 5 The authorities of any hospital to which a lien has been duly paid as provided in this act shall file in the office of the prothonotary of the county in which notice of a lien was filed a duly acknowledged certificate to the effect that the lien filed by such hospital for care and treatment has been duly paid or released and authorizing the prothonotary to discharge the same Thereupon the prothonotary shall note upon the docket record of the action as to which notice of a lien was filed a memorandum of the discharge or release of said hospital lien

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1102

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1102.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Silvert,	Wolfe,
DiSilvestro,	McGinnis,	Snowden,	Wood,
Fleming,	McMenamin,	Stevenson,	Yosko,
Freed,			

#### NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of representatives accordingly.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1370, a report of committee of conference, entitled:

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-eight hours the work week of police officers except in emergencies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### THIRD READING CALENDAR

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 207, as follows:

An Act to further amend the second paragraph of section 2 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by further providing for the appointment of the plumbing inspector in certain cases in third class cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of section 2 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" as last amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 168) is hereby further amended to read as follows

#### Section 2

\* \* \* \* \*

The mayor of said cities is hereby authorized and required to appoint a practical plumber of at least ten years experience and not engaged or connected directly or indirectly with the plumbing business as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing house and building drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provision for the payment of the salary of the said plumbing inspector as provided by law Whenever the mayor of any city of the third class finds it impossible to secure as a plumbing inspector a qualified person who is not engaged in or connected with the plumbing business he shall have the power to appoint a person who is engaged in or connected with such business providing such person has the other qualifications herein prescribed In such event the mayor shall as the occasion may arise appoint a substitute inspector who shall supervise superintend and inspect the work done by the regular inspector or by the firm with which he is connected in the course of their private business Such substitute inspector shall be paid for such work reasonable compensation to be fixed by council.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,



Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehlm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 769, as follows:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for a reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section one thousand eight hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments board and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1052) is hereby further amended to read as follows

Section 1803 Forests Powers The Department of Forests and Waters shall have the power

(a) To lease for a period not exceeding ten years on such terms and conditions as it may consider reasonable to any citizen church organization or school board of Pennsylvania such portion of any State forest whether owned or leased by the Commonwealth as the department may deem suitable as a site for [a temporary building] an improvement which as used herein means any building placed on the leasehold site by the lessee to be used by such citizen church organization or school board for health and recreation or as a site for a church or school purposes Provided That any existing lease or lease hereafter entered into by the department covering any hunting camp or cabin site upon which the lessee shall have erected an improvement shall be renewable at the option of the lessee for no more than four additional terms of ten years each and that at any time during the original leasehold period or any renewal thereof the lessee or his assignee shall have the right to assign all his right title and interest in said lease together with any improvement to any citizen or organization of good repute or school board

No lease entered into by the department covering any hunting or cabin site upon which the lessee shall have erected an improvement shall be cancelled by the Commonwealth other than for non-payment of rent violation of law or of a rule or regulation of the department not inconsistent with the provisions of this section or when the site is required for some public use The department shall not cancel any lease for alleged violation of a rule or regulation of the department until the lessee shall have been notified of the alleged violation and be given an opportunity to be heard

No improvement shall be used for commercial purposes Copies of all rules and regulations of the department or of the secretary applicable to a leasehold site shall be attached to the lease entered into by the department and the lessee. The lessee or his assignee shall have the right to remove any improvement erected on the leasehold site at any time during the period of the original lease or renewal thereof or within one year following the termination of the lease no improvement which the department has permitted or shall hereafter permit to be erected on the leasehold and which is not capable of being removed shall be disturbed or removed by the department without the payment of adequate compensation to the lessee or his assignee

Any sale by the Commonwealth other than to the lessee or his assignee of any portion of a State forest under lease pursuant to the provisions of this subsection shall be made subject to the current lease but shall in no way be subject to a renewal thereof Provided That the lessee or his assignee shall have for the term of the lease or for a period of six months from the time of sale of the leased land whichever is greater all rights privileges and immunities granted to him under the terms of the lease except the right of renewal

Section 2 Clause (e) of section one thousand eight hundred six of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 1806 Parks The Department of Forests and Waters shall have the power and its duty shall be

\* \* \* \* \*

(e) To lease for a period not to exceed ten years on such terms as may be considered reasonable to any citizen or organization of this Commonwealth a portion of any State park whether owned or leased by the Commonwealth as may be suitable as a site for [temporary buildings] an improvement which as used herein means any building placed on the leasehold by the lessee to be used for health recreational or educational purposes or for parking areas or concessions for the convenience and comfort of the public Provided That any existing lease or lease hereafter entered into by the department covering any cabin site upon which the lessee shall have erected an improvement shall be renewable at the option of the



lessee for no more than four additional terms of ten years each and that at any time during the original leasehold period or any renewal thereof the lessee or his assignee shall have the right to assign all his right title and interest in said lease together with improvements thereon to any citizen or organization of good repute or school board

No lease entered into by the department covering any cabin site upon which the lessee shall have erected an improvement shall be cancelled by the Commonwealth other than for non-payment of rent violation of law or of a rule or regulation of the department not inconsistent with the provisions of this section or when the site is required for some public use The department shall not cancel any lease for alleged violation of a rule or regulation of the department until the lessee shall have been notified of the alleged violation and be given an opportunity to be heard

No improvement shall be used for commercial purposes Copies of all rules and regulations of the department or of the secretary applicable to a leasehold site shall be attached to the lease entered into by the department and the lessee The lessee or his assignee shall have the right to remove any improvement erected on the leasehold site at any time during the period of the original lease or renewal thereof or within one year following the termination of the lease no improvement which the department has permitted or shall hereafter permit to be erected on the leasehold site and which is not capable of being removed shall be disturbed or taken by the department without the payment of adequate compensation to the lessee or his assignee

Any sale by the Commonwealth other than to the lessee or his assignee of any portion of a State park under lease pursuant to the provisions of this subsection shall be made subject to the current lease but shall in no way be subject to a renewal thereof Provided That the lessee or his assignee shall have for the term of the lease or for a period of six months from the time of sale of the leased land whichever is greater all rights privileges and immunities granted to him by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Proper,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 811, as follows:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three

(P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XV of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after section 1501 a new section to read as follows

Section 1501.1 Sewer System Established or Constructed by Municipality Authorities Connection and Use by Owners Enforcement When a sewer system is or shall have been established or constructed by a municipality authority within a township of the second class the township supervisors shall be empowered by ordinance to compel all owners of property accessible to and whose principal building is within one hundred fifty feet from such sewer system to make connection therewith and use such sewer system in such manner as they may order The township supervisors may by ordinance impose penalties to enforce any regulation or order they may ordain with reference to any sewer connections In case any owner of property accessible to and whose principal building is within one hundred fifty feet from a sewer system established or constructed by a municipality authority shall neglect or refuse to connect with said sewer system for a period of sixty days after notice to do so has been served upon him by the township supervisors either by personal service or by registered mail the township supervisors or their agents may enter upon such property and construct such connection In such case the township supervisors shall forthwith upon completion of the work send an itemized bill of the cost of the construction of such connection to the owner of the property to which connection has been so made which bill shall be payable forthwith In case of neglect or refusal by the owner of such property to pay said bill it shall be the duty of the township supervisors to file municipal liens for said construction within six months of the date of the completion of the construction of said connection the same to be subject in all respects to the general law provided for the filing and recovery of municipal liens

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Proper,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 862, as follows:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 510 thereof a new section to read as follows

Section 510.1 Special School Police School Districts in Townships of the Second Class The board of school directors of school districts in townships of the second class may by resolution appoint and fix the salary of special school police who shall have the duty of controlling and directing traffic at or near schools and who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all of the powers of local police officers Such police shall serve at the pleasure of the board of school directors

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Hare,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 869, as follows:

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred

twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No. 149) is hereby further amended to read as follows

Section 322 Amount of Retirement Payment The retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employee as salary or wages during the two years immediately preceding the date of retirement of the employee receiving the retirement allowance and no person receiving a retirement allowance shall be required to pay any amount into the retirement fund No retirement allowance hereafter paid to any beneficiary who has heretofore retired or who shall hereafter retire shall be less than seventy-five dollars (\$75.00) per month nor shall it exceed the sum of one hundred seventy-five dollars (\$175.00) per month Retirement allowances shall be paid in monthly installments on warrant on the board

Section 2 The county commissioners shall appropriate any additional moneys necessary to carry out the provisions of this act in the manner provided by section three hundred seventeen of the act to which this is an amendment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Hare,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 937, as follows:

An Act to amend Section 3 of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing



penalties" by permitting regulating and requiring a license for the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of the public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" is hereby amended to read as follows

Section 3 Nothing contained in this act shall be construed to prevent or prohibit the owner or lessee of any hotel restaurant lunch room fountain or dining car or other person from purchasing milk in bulk for uses other than for serving patrons with milk for drinking purposes nor to prevent the sale and serving of cream skimmed milk or buttermilk from bulk if the same is pure and wholesome and is sold and served as cream skimmed milk or buttermilk nor shall it prevent or prohibit the sale of mixed drinks at soda fountains

(b) Nothing in this act shall prevent or prohibit the purchase or sale of milk in bulk to be sold for drinking purposes from automatic milk dispensing machines which meet the following design and operation requirements

(1) All parts of such dispensing machines with which milk or milk products come in contact shall be constructed in such manner as to be easily cleaned and shall be kept in good repair the manufacture packing transportation and handling of bulk milk containers shall be conducted in a sanitary manner

(2) No surfaces with which milk or milk products come in contact shall while in use be accessible to manual contact

(3) All parts of the dispensing device with which milk comes in contact shall be cleaned and sterilized at the milk plant

(4) The dispensing device shall be filled and sealed with two seals at the milk plant in such manner as to make it impossible to withdraw any part of its contents without breaking one seal and impossible to introduce any substance without breaking the other

(5) Sweet milk for drinking purposes served from such dispensing machines must be milk which has been homogenized

(6) All such dispensing machines must be conspicuously labeled in a large print easily readable to the public to indicate the type milk or milk product being served from the dispenser

(7) All such dispensing machines must be operated in the same room where milk is served to the public

(8) Milk served from these dispensers must be served in a glass or container no smaller than eight ounces

(9) No person shall be permitted to purchase or sell milk in bulk to be sold for drinking purposes from automatic milk dispensing machines unless he has first obtained a license from the Department of Agriculture Such licenses can be obtained upon application to the Department of Agriculture and payment of a license fee payable at the rate of five dollars (\$5.00) for each dispensing machine covered by such license A copy of said license shall be attached at all times to each dispensing machine covered thereby

(c) In addition to the penalties provided for in section two of this act the Department of Agriculture shall have the right to suspend or revoke the license provided for herein of any person who has violated any or all of the provisions of subsection (b) of this section

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Bane,	Hare,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Proper,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Silvert,	Wolfe,
DiSilvestro,	McGinnis,	Snowden,	Wood,
Freed,	McMenamin,	Stevenson,	Yosko,
Haluska,			

#### NAYS—1

Fleming,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 967, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1097, as follows:

An Act to further amend subsections (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscel-



laneous receipts making an appropriation and providing for refunds" by authorizing the designation of thru highways and stop intersections in second class townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows.

Section 1 Subsections (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) are further amended to read as follows

Section 1112 Establishment of Thru Highways and Stop Intersections

(a) The Secretary of Highways of this Commonwealth with reference to State Highways and local authorities in counties cities boroughs incorporated towns and townships of the first and second class with reference to highways under their jurisdictions are hereby authorized to designate through highways by erecting at the entrance thereto from intersecting highways signs bearing the words "Thru Traffic Stop" the word "Stop" to be in letters at least six (6) inches in height and the letters of the words "Thru" and "Traffic" shall be of the form and size approved by the Secretary of Highways of this Commonwealth Provided That no stop sign shall be erected at an intersection where at all times there is control by either a traffic signals or by a flashing signal

(b) The Secretary of Highways of this Commonwealth with reference to State highways and local authorities in counties cities boroughs incorporated towns and townships of the first and second class with reference to highways under their jurisdictions are hereby authorized to designate stop intersections by erecting at the entrance thereto from intersecting highways signs bearing the word "Stop" in letters of at least six (6) inches in height

(c) Before local authorities in counties cities boroughs incorporated towns and townships of the first and second class shall designate any highway as a through highway or stop intersection which will interest or affect a State highway approval of such designation must first be obtained from the Secretary of Highways of this Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,

Barrett,  
Berger,  
Blass,  
Byrne,  
Chapman,  
Crowe,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Holland,  
Kessler,  
Lane,  
Leader,  
Letzler,  
Mahany,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Pechan,  
Peelor,  
Probert,  
Robinson,  
Rosenfeld,  
Ruth,  
Silvert,  
Snowden,  
Stevenson,

Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1264, as follows:

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of the first and second classes informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved



the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

#### Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act where the violations occurred in cities of the first and second classes shall be brought in the traffic court of such cities. Other such informations shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred. Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough incorporated town or township within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 205 207 210 212 406.1 511 610.1 620 (j) and 813 of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution;

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1287, as follows:

An Act to further amend subsection B or section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L.

624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further limiting the amount which may be invested in shares of other banking institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and imunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 685) is hereby further amended to read as follows

#### Section 1009 Limitation upon Investing in Shares

\* \* \* \* \*

B Any bank or bank and trust company may purchase or invest an amount not excess of ten per centum of its unimpaired capital and ten per centum of its unimpaired surplus in the shares of any national banking association located within this Commonwealth or the shares of any bank bank and trust company or trust company incorporated under the laws of this Commonwealth. Provided That no such purchase or investment may be made if the resulting ownership of shares in such national banking association or bank bank and trust company or trust company exceeds ten per centum of the authorized capital of such national banking association or bank bank and trust company or trust company [and any] Any bank or bank and trust company may purchase or invest in the shares of a Federal Reserve Bank or the shares of any corporation organized under the laws of this Commonwealth solely for the purpose of conducting a safe deposit business without regard to any limitations prescribed by this act

This subsection shall not be construed to affect the shares of any national banking association located within this Commonwealth or the shares of any bank bank and trust company or trust company incorporated under the



laws of this Commonwealth lawfully held on the effective date of this amendment. However such shares shall be computed in determining the power under this act of a bank or bank and trust company to make any additional purchases of or investment in such shares.

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neft,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrnes,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1312, as follows:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a state board of funeral directors in the Department of Health and repealing other laws.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Short Title This act shall be known and may be cited as the "Funeral Director Law"

Section 2 Definitions The following terms as used in this act shall unless the context indicates otherwise have the following meanings:

(1) The term "funeral director" shall include any person engaged in the profession of a funeral or undertaking or the care embalming disposition or burial of the bodies of deceased persons in his or her own name and on his or her own account whether such persons shall use the title of "undertaker" undertaker and embalmer" "embalmer" "funeral director" "mortician" or other term.

(2) The word "board" shall mean state board of undertakers in the Department of Health hereby renamed the State Board of Funeral Directors.

(3) The word "department" shall mean the Department of Health of this Commonwealth.

(4) The term "resident trainee" shall mean any person operating under or with a funeral director for the purpose of learning such business or profession to the end that he may become a licensed funeral director. The term shall also include a student apprentice serving as such on the effective date of this act under any law repealed hereby.

(5) The word "preceptor" shall mean a licensed funeral director under or with whom a resident trainee is registered and operates.

(6) The term "school of embalming" shall mean a school of embalming or mortuary science approved by the board and offering a course of actual class work in didactic and laboratory studies.

Section 3 Application for License Qualifications of Applicants (a) Any person not holding a license to practice the profession of a funeral director and desiring to practice such profession in this Commonwealth shall make application for examination and licensure to the board upon a form furnished by it and shall accompany the application by such fee as may be fixed by the department.

(b) Each applicant shall be a citizen of the United States at least twenty-one (21) years of age and a graduate of an approved high school of this Commonwealth or have an education equivalent thereto under the rules and regulations of the board.

(c) In addition thereto each applicant shall have successfully completed a course of actual class work in didactic and laboratory studies in a school of embalming for a period to be fixed by the board at not less than nine hundred (900) hours nor more than twenty-four hundred (2400) hours and shall have completed two years as a resident trainee.

Each applicant applying during the period from the first day of September one thousand nine hundred fifty-three to the thirty-first day of August one thousand nine hundred fifty-five shall have successfully completed one year of academic work at a college or university accredited by the Department of Public Instruction and a course of actual class work in didactic and laboratory studies in a school of embalming for a period to be fixed by the board at not less than nine hundred (900) hours nor more than twenty-four hundred (2400) hours and shall have completed one year as a resident trainee.

Each applicant applying after thirty-first day of August one thousand nine hundred fifty-five shall have successfully completed two years of academic work at a college or university accredited by the Department of Public Instruction and a course of actual class work in didactic and laboratory studies in a school of embalming for a period to be fixed by the board at not less than six hundred (600) hours nor more than twenty-four hundred (2400) hours and shall have completed six months as a resident trainee.

No more than an average of one hundred (100) hours of embalming or mortuary school training shall be given or required in any calendar month of any one year.

(d) Integration and coordination of all educational requirements including any academic work at a college or university or actual class work in didactic and laboratory studies in a school of embalming shall be permitted and shall be encouraged under any rules or regulations that the board shall make.

(e) Except in the case of a resident trainee who has registered with the board and has begun his training period before the effective date of this act the required period as a resident trainee shall in each case be served after the applicant has fulfilled his educational requirements.

(f) The requirements of a resident trainee as to maximum and minimum hours the number of cases to be handled and the training and duties included and excluded shall be fixed by rules and regulations of the board. They shall in all cases include a requirement that each resident trainee shall completely embalm at least twenty-five (25) bodies.

(g) Any person applying for examination and licensure before the first day of January one thousand nine hundred fifty-three may offer in lieu of the foregoing educational requirements fifteen or more years' experience as an apprentice to a licensed undertaker or funeral director and such person until he shall have taken and passed the examination shall be considered a resident trainee.

Any person having the qualifications prescribed by subsection (b) of this section registered as a student apprentice under the provisions of existing law or enrolled as a student in a school of embalming prior to the effective date of this act and who has continuously thereafter served as a student apprentice or continued his studies



in a school of embalming or either shall be entitled to take the examination for license to practice as a funeral director after he has had practical experience in the business or profession of funeral directing for two years continuously as a resident trainee and has completely embalmed at least twenty-five (25) bodies

**Section 4 Registration of Student Trainees** Every applicant upon entering the school of embalming shall register with the board annually in such manner as may be provided by the board and shall pay such registration fee as shall be fixed by the department. The secretary of the board shall keep a separate register of applicants in training their names ages residences where they attended school the licensed funeral directors with whom they are associated or the embalming school they are attending and such other information as the board may direct and as provided for by this act

Any applicant registered as a student of any licensed funeral director or embalming school who changes his preceptor or school shall immediately re-register and pay such additional fee as may be fixed by the department. Every funeral director with whom a resident trainee is registered shall immediately notify the board of the termination of such relation

The preceptor to the resident trainee must comply with the qualifications and duties as set forth by the rules and regulations of the board which is given the authority to set standards and limit the number of student trainees with each preceptor

**Section 5 Examinations** The board shall fix the times and places of examinations and shall give notice thereof to each applicant entitled to take the examination. If the board shall find upon examination that the applicant is of good moral character and is possessed of skill and knowledge of sanitation preservation of the dead disinfecting the bodies of deceased persons the apartment clothing and bedding in case of death from infectious or contagious diseases and has sufficient knowledge experience and training properly to conduct such profession in all its phases the board shall issue to him upon payment of such fee as may be fixed by the department a license to operate as a funeral director and shall register the applicant as a duly licensed funeral director

**Section 6 Issuance of Licenses** Licenses shall be issued by and bear the seal of the Department of Health and shall be signed by the president and secretary of the board. Every licensee shall register the fact of the issuance of the license with the board of health department of health or health officer of the municipality or township in which the licensee desires to operate and shall display his license conspicuously in his place of business approved by the board. Licenses and registration cards and certified copies of either shall be prima facie evidence of all matters covered by them

**Section 7 Restrictions** Preparation Room Original licenses under this act (1) shall be granted only to individuals (2) shall specify by name the person to whom it is issued and (3) shall designate the particular place approved by the board at which the profession of funeral directing shall be carried on. A license shall authorize the conduct of the profession at the particular place of practice so designated and no other and only by the particular person designated. A licensed funeral director may move to a new place of practice which shall be registered with the board

After the thirty-first day of August one thousand nine hundred fifty-two every place in which the profession of funeral directing is carried on shall include a preparation room constructed in accordance with sanitary standards prescribed by the board for the protection of the public health. No food shall be served to the public in any place in which the profession of funeral directing is carried on

**Section 8 Conduct of Business** Only one license shall be granted to or held by an individual but two or more licensed funeral directors may operate a joint or partnership business at one place only if the business is conducted under the names of all such licensed funeral directors. No funeral director granted an original license under this act shall conduct practice under any other

name than the name appearing on his license. No person not licensed under this act shall have any interest in the practice carried on by a licensed funeral director. Upon the death of a licensee the board in its discretion may issue a license and renewal thereof to his estate only for a period not exceeding three (3) years or widows of deceased licensees as long as they remain unmarried. The practice carried on by a licensee's estate or widow shall be under the supervision of a licensed funeral director employed on a full time basis who shall not conduct any other funeral business in his own name nor be directly or indirectly connected with any other funeral establishment

**Section 9 Licensees under Prior Laws and from Other States** (a) All undertakers' licenses issued under any prior law and being in effect on the effective date of this act shall continue subject to the provisions of this act as to renewal suspension and revocation and to the rules and regulations of the board. Existing licenses to corporations and partnerships and to conduct a practice under a fictitious name shall continue and may be renewed but no original license shall be issued under this act to any corporation or partnership nor to conduct a practice under a fictitious name and no branch licenses shall hereafter be granted

(b) The board may grant licenses to individuals from other states if (1) the standards for licensing are at least as high as those provided hereby (2) similar privileges are accorded persons licensed in this Commonwealth (3) the applicants hold valid licenses from their state of residence and (4) the terms and conditions prescribed by the board are complied with

**Section 10 Expiration of Licenses Renewal** All valid funeral directors' licenses granted under this or any prior act shall expire on the first day of February following their issuance or renewal. It shall be the duty of the board on or before the first day of November of each year to mail to every licensed funeral director a blank application for renewal of license. Renewal may be effected at any time during the month of January following by the filing of such application with the board together with such renewal fee as may be fixed by the department with the approval of the board. The board may at its discretion renew the license of any funeral director who has failed to make application for renewal before the first day of February

**Section 11 Refusal Suspension Revocation** The board by a majority vote thereof may refuse to grant refuse to renew suspend or revoke a license of any applicant or licensee whether originally granted under this act or under any prior act for the following reasons

- (1) The practice of any fraud or deceit in obtaining or attempting to obtain a license
- (2) Violation of the health laws of this Commonwealth
- (3) The conviction of a crime involving moral turpitude
- (4) The use of misleading advertising
- (5) Gross incompetency negligence or misconduct in the carrying on of the profession

(6) Violation of or non-compliance with the provisions of this act or the rules and regulations of the board

(7) Loaning borrowing or using a license of another or of knowingly aiding or abetting in any way the granting of improper licenses

(8) Soliciting patronage other than by legitimate advertisement or paying a commission or agreeing to pay a commission to any person or persons for soliciting or for business secured or paying any gratuity to any person with intent to have such person aid in securing business or like unprofessional conduct

**Section 12 Procedure** (a) All actions of the Board shall be taken subject to the right of notice hearing and adjudication and the right of appeal therefrom in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) or any amendment or re-enactment thereof relating to adjudication procedure

(b) Any association of funeral directors or any party in interest shall be entitled to be heard by the board in any proceeding under the Administrative Agency Law



Any association of funeral directors or any person having an interest may by an action in equity obtain an injunction to prevent the illegal operation of a person firm corporation or establishment in violation of law or the regulations of the board For such purposes the court of common pleas of the county where the violations occur or where the defendant may be served shall have jurisdiction

(c) The board upon the advice of the Attorney General may maintain an action in the name of the Commonwealth for an injunction or other process against any person to restrain or prevent his practicing the profession of a funeral director in a public or private capacity Any such action shall be instituted in the court of common pleas in any county where the alleged unauthorized practice was committed The court may issue a temporary restraining order or injunction under this act but shall determine any such action on its merits as soon as convenient whether in term time or in vacation Appeals from any final decision of the court to the Superior or Supreme Court shall be as in similar cases No bond shall be required of and no costs shall be taxed against the board on account of any such action No action brought under the provisions of this act shall prevent the prosecution or institution of any civil or criminal action provided by this act for violation thereof or of any rule or regulation of the board promulgated thereunder

Section 13 Practice Without License Exceptions (a) No person shall practice as a funeral director as defined herein in this Commonwealth unless he holds a valid license so to do as provided in this act

The provisions of this subsection shall not apply to the following persons when acting under the direction and supervision of a licensed funeral director

(1) Employees of any cemetery or crematory whose duties extend no further

(2) Persons acting under the orders of commissioned medical officers of any branch of the armed forces of the United States

(3) Persons disposing of the bodies of deceased persons lawfully placed at the disposition of legally organized medical surgical or other institutions for the benefit of science

(4) Persons disposing of the bodies of deceased persons under the authority and direction of the Department of Health of this Commonwealth in times of actual epidemic or public calamity

(b) No person other than a licensed funeral director or a resident trainee shall prepare or embalm the body of any deceased person

Section 14 Penal Provisions (a) No person shall as an officer of a corporation allow it to practice as a funeral director unless such corporation is duly licensed and qualified so to do under any law repealed hereby and under the rules and regulations of the board

(b) No person shall lend sell buy give or obtain a license as a funeral director or a registration card issued by the board in any other manner than is provided for in this act nor offer or attempt so to do

(c) No person shall attempt to practice under guise of a license or registration card not issued by the board or under cover of a license or registration card obtained illegally or fraudulently or which has been revoked or suspended

Section 15 What Constitutes Practice A person either individually or as a member of a partnership or of a corporation shall be deemed to be practicing as a funeral director within the meaning and intent of this act who

(1) holds himself out to the public in any manner as one who is skilled in the knowledge science and practice of funeral directing embalming or undertaking or who advertises himself as an undertaker mortician or funeral director

(2) permits either as lessee employe associate or in any capacity whatsoever the illegal operation of an establishment or enterprise of any character or description whereby the public is led to believe that therein is offered or available funeral directing or undertaking services or facilities

Section 16 Duties of Board (a) The board shall be charged with the enforcement of this act It shall be empowered to formulate necessary rules and regulations not inconsistent with this act for the proper conduct of the business or profession of funeral directing and as may be deemed necessary or proper to safeguard the interests of the public and the standards of the profession

(b) The board shall appoint an inspector or inspectors whose title shall be "Inspector State Board of Funeral Directors Commonwealth of Pennsylvania" Such inspectors shall be licensed funeral directors who have been actively engaged in the practice of such profession for at least ten years Inspectors shall hold office at the pleasure of the board and shall receive such compensation as shall be fixed by the board with the approval of the department Inspectors shall be empowered to serve all processes and papers of the board and shall have the right of entry into any place where the business or profession of funeral directing is carried on or advertised as being carried on for the purpose of inspection and for the investigation of complaints coming before the board and for such other matters as the board may direct

(c) The board shall keep a record of its proceedings and shall maintain a register of the names and addresses of all persons applying for and those receiving licenses and registration cards under this or any prior act Such register shall be open to public inspection

Section 17 Penalties Any person violating any of the provisions of this act or any rule or regulation of the board promulgated pursuant thereto shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or undergo imprisonment not exceeding one (1) year or both

Section 18 Disposition of Fees All fees fines and penalties specified and imposed under this act or any rule or regulation of the board promulgated pursuant thereto shall be paid into the State Treasury through the Department of Revenue

Section 19 State Board of Funeral Directors There shall be a State Board of Funeral Directors as a departmental administrative board in the Department of Health The State Board of Funeral Directors shall consist of five persons who shall be licensed funeral directors of good moral character and the Secretary of Health ex officio one member shall be appointed each year for a term of five years expiring on the thirty-first day of August or until his successor is appointed and qualified vacancies shall be filled for the unexpired portion of the term only the present members of the State Board of Undertakers shall continue as members of the State Board of Funeral Directors until the expiration of their respective terms

Three members of the board shall constitute a quorum The board shall select from among their number a chairman and shall elect a secretary who need not be a member of the board each member of the board other than the Secretary of Health shall receive fifteen dollars per diem when actually engaged in the transaction of official business the secretary of the board shall receive such reasonable compensation as the board may determine with the approval of the Secretary of Health

Section 20 The provisions of this act are severable and if any section subsection sentence clause phrase or requirement of this act shall be held to be constitutional such decisions of the court shall not affect or impair the validity of the remaining portions thereof The Legislature hereby declares that it would have passed this act each section subsection sentence clause phrase and requirement thereof irrespective of the fact that any one or more sections subsections sentences clauses phrases or requirements be declared unconstitutional

Section 21 The act approved the tenth day of June one thousand nine hundred thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased



persons and providing penalties" and its amendments are hereby repealed

All other acts and parts of acts are hereby repealed in so far as they are inconsistent herewith

Section 22 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,			

#### NAYS—1

McMenamin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1331, as follows:

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways with the approval of the Governor is hereby authorized to erect and construct bridges over the Susquehanna River at the hereafter described locations to connect the State highways on both sides of said river and to acquire the necessary land for approaches thereto

(a) From a point in or near the Borough of Millersburg in Dauphin County to a point on the opposite side of said river in Perry County

(b) From a point between Safe Harbor and Holtwood in Lancaster County to a point on the opposite side of said river in York County

Section 2 In the construction of said bridges and the approaches thereto and connections with existing State highways the Department of Highways shall have all of the powers and authority conferred with respect to the relocation widening or construction of State highways including the exercise of the power of eminent domain Any damages sustained by reason of taking property in the relocation widening or construction of any such bridge the approaches thereto and connections with State highways shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the Commonwealth or county

or counties as may be agreed upon in accordance with the laws relating to State highways

The Department of Highways shall have authority to make and carry out and to do every other act necessary to carry out the projects herein authorized

Section 3 After the completion of any such bridge and the approaches thereto the Department of Highways shall provide for the collection of tolls until such tolls have been sufficient to reimburse the Motor License Fund for all costs including the salaries of toll takers and maintenance and repair of such bridge during the period tolls are collected as soon as the Motor License Fund has been reimbursed for all costs any such bridge shall be freed from toll and shall become a part of the system of State highways to be administered by the Department of Highways under the provisions of present or future laws governing State highways

Section 4 So much of the money in the Motor License Fund from time to time as may be needed to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways for such purposes

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1350, as follows:

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to mobilization or demobilization of civilian manpower

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 2508 Distribution of Federal Funds for Vocational Education In the event that the Congress of the



United States provides additional funds for vocational education the State Board for Vocational Education shall have authority to establish rules and regulations governing the administration and distribution of such funds

In furtherance of the provisions of the Federal vocational education acts the Superintendent of Public Instruction with the approval of the State Board for Vocational Education may allocate funds to school districts and vocational school districts for the conduct of vocational educational services and for the purchase of educational goods and services contributing to special vocational education needs and experimental programs essential to mobilization or demobilization of civilian manpower to the extent that Federal and State funds are available and intended for such purposes

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS--46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 1518, as follows:

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as added by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended to read as follows

Section 2001 Grant of Power For the purpose of promoting health safety morals or the general welfare of townships of the second class the supervisors are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair maintenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other

purposes and may also establish and maintain building lines and set back building lines upon any or all public roads or highways The power hereby granted shall be suspended in any township or part of a township during any period of time that any zoning ordinance adopted pursuant to law by the county commissioners of the county shall continue to be in effect in such township or part of a township and any ordinance adopted by any township before the adoption of such county ordinance shall likewise be suspended during such period The power hereby granted shall not be exercised during the period of two years immediately after the date when [if] taxpayers whose property valuation as assessed for tax purposes within the township [shall amount] amounts to fifty-one per centum or more of the total property valuation as assessed for tax purposes within the township [or within the district of the township affected if the township has been divided into districts as hereinafter provided] shall sign and file in the office of the prothonotary of the county in which the ownership is located a written protest against the exercise of such powers

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS--46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 1533, as follows:

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further providing for payment of the compensation of local registrars

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" as amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1193) is hereby further amended to read as follows

Section 28 Compensation of Local Registers Each local registrar shall be paid the sum of [fifty] seventy-five cents for each complete birth death or stillbirth certificate re-



turned by him to the department in accordance with the regulations of the department. In case no birth death or stillbirth was registered during any calendar month the local registrar shall so report and be paid the sum of fifty cents for the report. The department is authorized to change by regulation the amounts specified herein to be paid to local registrars and the department shall limit the aggregate amount of fees to be paid per annum to any local registrar either by setting an annual aggregate maximum of such fees or by graduating the fees according to the number of registrations. The fees of the local registrars shall be paid by the Commonwealth from funds appropriated to the Department of Health.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1644, as follows:

An Act declaring the Communist Party and similar revolutionary organization illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Upon evidence which has been presented and proof which has already been established before the Congress of the United States the federal courts of the United States the courts of the Commonwealth of Pennsylvania and the General Assembly of the Commonwealth of Pennsylvania there exists an international revolutionary Communist conspiracy which is committed to the overthrow by force and violence of the government of the United States and of the several states including that of the Commonwealth of Pennsylvania such conspiracy including the Communist Party of the United States its local components in Pennsylvania and the members thereof.

The Communist Party of the United States in Pennsylvania and all other organizations no matter under what name whose object or purpose is to overthrow the Federal or State Government by force and violence are hereby declared illegal and not entitled to any of the rights privileges and immunities attendant upon legal bodies created under the jurisdiction of the Commonwealth of Pennsylvania or any political subdivision thereof

and whatever rights privileges and immunities heretofore granted to said party and other organizations with the same revolutionary purpose by the Commonwealth of Pennsylvania the same are hereby terminated.

Whoever therefore being a member of the Communist Party of the United States or any other organization no matter how named whose object or purpose is to overthrow the Federal or State Government by force and violence knowing the revolutionary object or purpose thereof or whoever participates in the revolutionary activities of the Communist Party or any other organization with the same revolutionary purpose knowing the revolutionary object or purpose thereof is guilty of a felony and upon conviction thereof shall be sentenced to imprisonment for not exceeding twenty (20) years or fined not exceeding ten thousand dollars (\$10,000) or both.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, the bill on which we are about to vote is a bill which would outlaw in Pennsylvania the Communist party, and make it a felony for a person knowingly to belong to the Communist party with the intent to overthrow the Government by force or violence. Mr. President, if we pass this bill today, I think it will, as the years go on and this Session is remembered, be one of the landmarks of the 1951 Session of the Pennsylvania General Assembly.

Mr. President, in some quarters this bill is considered controversial, but it seems to me that any fair-minded citizen, who has given any study to the matter and the implications of it at all, would certainly be in favor of the bill. There has been a good deal of newspaper comment on this bill since it has been introduced, and in particular I am referring now to an article which appeared in the Pittsburgh Sun Telegraph, one of the great papers of Pennsylvania, on Monday, August 27, in which a rather lengthy analysis of the bill is set forth. Among other things, this article in the paper comments on the fact that the bill sets forth a legislative determination that the Communist party in the United States is dedicated to the overthrow of the Government by force and violence. The article goes on to quote from the records of the United States Congress, from the United States Supreme Court and from the Superior Court of Pennsylvania, which records find the same premise as a fact.

Mr. President, it seems to me that there can be no doubt now in any American's mind, or in the mind of any Pennsylvanian, that we have a total and a complete philosophical conflict with atheistic communism in Russia. It is quite clear that this gap can never be bridged. It is appropriate, particularly here in Pennsylvania, that we who are the legislative children of the founder of our State, William Penn, who founded this State as a haven for those who were interested in religious freedom, should take this action and outlaw the Communist party in Pennsylvania, and remove it in the future from the ballot in Pennsylvania.

Mr. President, the past decade has seen many Americans awakening to the dangers that world-wide communism presents today. Among other things, we have seen the C.I.O. itself take strenuous efforts to rid itself of all



unions or members who might be tainted with control from the Kremlin in Moscow.

Mr. President, I think in passing we ought to note, too, that one of the active sponsors of this bill, perhaps the father of it, is the newly elected Supreme Court Justice of Pennsylvania, Judge Michael A. Musmanno, of Allegheny County. Judge Musmanno himself in the post-war years has caused the arrest, indictment, trial and conviction, at a great personal sacrifice, of two of the leaders of the Communist party in western Pennsylvania, but, Mr. President, I think we should all remark and remember that this bill, after all, is merely a police action. It is not the final answer in any sense to communism. It is a necessary step, a step we must take, but only a beginning.

Mr. President, there is still time in this Session of the Legislature to do much more to strengthen our Country in so far as it is possible for us, as Members of this Legislature, to do so. We must remember that communism is a disease that breeds on a sick society. Just as a healthy person can throw off many diseases and infections, so a strong society has nothing to fear from communism. It seems to me that we can direct our efforts in the next few days and weeks that we are down here to strengthening the society of Pennsylvania. We have a good many bills awaiting passage yet, which would make happier and healthier the Pennsylvania working men. We have a whole package of labor bills. Certainly one of the things that we can do for the people is to provide safe, healthy and pleasant working conditions. We should preserve in every way possible and strengthen the integrity of the families of Pennsylvania, and last but not least we must strive at all times to make it possible in Pennsylvania for workmen to work at wages that will enable them to live along with their families, in a decent and humane manner.

Mr. LANE. Mr. President, I have before me a constitutional and factual analysis of House Bill No. 1644, which was prepared by the author of this legislation, His Honor, our State Supreme Court Justice, Judge Michael A. Musmanno.

Mr. President, in perusing over this analysis, I have done so for several days. I find that in this it is well outlined that communism is criminal. The Communist party is an agent of Soviet Russia. I also find that in this analysis of House Bill No. 1644 it is clearly constitutional and in compliance with the Constitution of this Commonwealth. I also find that House Bill No. 1644 preserves the constitutional rights of the individual in this Commonwealth, and the Communist party is most certainly a military fifth column in this great Nation of ours.

Mr. President, this legislation, according to this analysis and my belief, is a necessary and a protective measure and such action is needed to implement Federal legislation. I also might add that Governor Fine in a recent speech urged that Pennsylvania take the lead in the fight against communism and, therefore, I want to make this analysis a part of the record on this momentous day when we take the step to actually outlaw communism in this great Commonwealth of ours.

Constitutional and Factual Analysis of  
House Bill No. 1644  
Prepared by  
Judge Michael A. Musmanno

## Headings

1. History of House Bill No. 1644
2. Criminality of Communism is Well Established
3. The Communist Party is an agent of Soviet Russia
4. House Bill No. 1644 is clearly Constitutional
5. House Bill No. 1644 preserves Constitutional Rights
6. The Communist Party is a Military Fifth Column
7. This Legislation is a necessary Protective Measure
8. State Action is needed to implement Federal Legislation
9. Governor Fine urges Pennsylvania to take lead in Fight against Communism

### 1. History of House Bill No. 1644

On August 6, 1951, there was introduced into the House of Representatives a bill which has become known as the "Anti-Communist Bill." The bill was introduced bi-partisanly, that is, by Messrs. Mazza, Tompkins, and Ziegler, Republicans; and by Messrs. Schmidt, Saraf and Paul F. Jones, Democrats. There is nothing partisan in this legislation.

The bill was referred to the House Committee on Judiciary and reported out on August 13th. It obtained its first reading August 14th, second reading on August 15th, and on August 20th came before the House for third reading. The measure was fully debated and then voted upon. It passed the House by a vote of 145 yeas to 8 nays. It was then referred to the Senate Committee on Judiciary.

House Bill 1644 is intended to implement federal and state legislation aimed at defeating and destroying all subversive attempts to overthrow our federal and state governments by force and violence.

The bill provides for the outlawing of what every American realizes is a full-sized danger to the American way of life. There is no American worthy of the name who will defend the Communistic way of life, because Communism seeks to destroy the homes of America, the families of America, the churches of America, the equal opportunities of America. It would substitute Lenin for Washington, Marx for Lincoln, Stalin for our American presidents. This is admitted by all Americans. Why then, should there be any reluctance to eliminate this monstrous menace?

House Bill No. 1644 declares that the Communist Party or any other organization committed to the overthrow of our government by force and violence shall have no legal sanction in Pennsylvania. Is there anyone to say that a revolutionary body prepared to introduce bloodshed and chaos into our daily lives should have legal sanction? The danger this legislation is intended to overcome is real and not merely fanciful or conjectural. The Federal Internal Security Act of 1950 proclaims:

"There exists a world Communist movement which, in its origins, its development and its present practise, is a world-wide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a world-wide Communist organization."

"In the United States those individuals who knowingly and wilfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States, and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement."

"The Communist organization in the United States, pursuing its stated objectives, the recent successes of Communist methods in other countries, and the nature and control of the world Communist movement itself, present a clear and present danger to the security of the United States and to the existence of free American institutions."

### 2. Criminality of Communism is Well Established



This finding by the Congress of the United States is now the law of the land, namely, that the Communist organization in the United States presents "a clear and present danger to the security of the United States and to the existence of free American institutions."

Even more recent than the enactment of the Internal Security Act of 1950, *supra*, has been the decision of the United States Supreme Court upholding the constitutionality of the Smith Act, (54 Stat. 671, 18 U.S.C.) Eugene Dennis, secretary general of the Communist Party of the United States, and ten other top Communist leaders, were convicted of organizing the Communist Party to teach and advocate the overthrow of the government by force and violence, and of teaching and advocating the duty and necessity of overthrowing and destroying the government of the United States by force and violence. The Supreme Court, on appeal thereto, declared, through Chief Justice Vinson:

"Petitioners intended to overthrow the Government of the United States as speedily as the circumstances would permit. Their conspiracy to organize the Communist Party and to teach and advocate the overthrow of the Government of the United States by force and violence created a 'clear and present danger' of an attempt to overthrow the Government by force and violence." (341 U.S. 494)

Our own Superior Court declared in *Pawell vs. U.C. Board of Review*, that:

"Courts have long recognized and have taken judicial notice that Communism, as a political movement, is dedicated to the overthrow of the Government of the United States (and, with it, the governments of the States as necessary incidents in our system of divided sovereignty) by force and violence. (146 Pa. Superior Ct. 147,150.)

In *CIO vs. Douds*, 70 Sup. Ct. 697, Justice Jackson of the United States Supreme Court outlined quite vividly the purpose of the Communist Party:

"The goal of the Communist Party is to seize powers of government by and for a minority rather than to acquire power through the vote of a free electorate . . . Violent and undemocratic means are the calculated and indispensable methods to attain the Communist Party's goal. It would be incredible naivete to expect the American branch of this movement to forego the only methods by which a Communist Party has anywhere come into power. In not one of the countries it now dominates was the Communist Party chosen by a free or contestable election; in not one can it be evicted by any election. The international police state has crept over Eastern Europe by deception, coercion, coup d'etat, terrorism and assassination. Not only has it overpowered its critics and opponents, it has usually liquidated them. The American Communist Party has copied the organization structure and its leaders have been schooled in the same technique and from the same tutors." (p. 697).

Who can doubt that the Communists are at work to betray America, if they can, into Soviet hands? Who does not now know of the infamous Communist traitors who have purloined atom bomb secrets and State Department secrets to turn over to the Soviets, names that have become a byword and a hissing: the Alger Hisses, the Whitaker Chambers, the Klaus Fuchs, the Harry Golds, the Julian Wadleighs, the Judith Coplons, the Elizabeth Bentley? How many are there today working in our vital industries and possibly even in our government departments? Registering them is not enough, investigating them is not enough. They must be apprehended and rendered immobile so that they can do no damage.

In various parts of Pennsylvania the Communists actually have headquarters in which they glorify Russia, degrade America and plan for the revolution. Under present law these headquarters cannot be dismantled except by long drawn out court proceedings, if at all. Under this

bill these headquarters, which are in effect advance posts of the Red Army, would be closed at once.

### 3. The Communist Party is an Agent of Soviet Russia:

The Communists actually boast of how they are going to Sovietize America. William Z. Foster, national head of the Communist Party in the United States, said:

"When a Communist heads the Government of the United States—and that day will come just as surely as the sun arises—the government will not be a capitalist government but a Soviet government and behind this government will stand the Red army to enforce the dictatorship of the proletariat."

Earl Browder, former secretary general of the Communist Party, said: "The revolution does not simply happen. It must be made."

Opponents of House Bill No. 1644 have said that this law would drive the Communists underground. They are underground now. We have found an Alger Hiss in the State Department, we have found Communists in other governmental departments, in labor unions, in the movie industry, in the science and atom bomb laboratories. This law would force them into the open. Although it has been said that the FBI could arrest on a minutes notice all the dangerous Communists in America we know that four of the most dangerous ones escaped even after conviction by a United States Court.

Some opponents say that it is not American to outlaw a political party because if you can outlaw the Communist Party, conceivably in a later day the Republican or the Democratic Party could be outlawed. But the fundamental error in this type of reasoning is that the Communist Party is not a political party. (As stated by Justice Jackson in *CIO vs. Douds*, 70 Supreme Court at p. 698, "The Communist Party alone among American parties past or present is dominated and controlled by a foreign government. It is a satrap party which, to the threat of civil disorder, adds the threat of betrayal into alien hands." A political party exists to elect candidates to office, but the Communist Party in Pennsylvania has no provisions to elect anyone to office. It cannot be on the ballot because it has been adjudicated a subversive force.)

(The Communist party is a criminal conspiracy, not a political party.) It is committed to overthrow the government by force and violence. It is simply preposterous to say that by outlawing a revolutionary body you then provide the means for outlawing a perfectly constitutional, legal political organization such as the Republican or Democratic party, which are founded simply and exclusively on the proposition of winning the confidence and the votes of the people by improving their lot through the highest type of governmental administration and legislation.

### 4. House Bill 1644 is clearly Constitutional.

It is undisputed and indisputable that the Communist Party in Pennsylvania is committed to the overthrow of the government of Pennsylvania, as well as that of the United States, by force and violence. Why then may not the Pennsylvania Legislature declare illegal such an organization and any other organization or organizations committed to the same revolutionary purpose?

In *Commonwealth v. Blankenstein*, 81 Sup. Ct. 340, our Superior Court declared:

"That the Commonwealth has authority to enact legislation intended to preserve the stability of the government and to prevent the incitement of tumult tending to disturb the public peace and conduct tending to treason cannot be seriously questioned." (p. 342)

In the *Blankenstein* case (*supra*), the defendant, a proved Communist, was found guilty of sedition under the Act of June 26, 1919, as amended by the Act of May 10, 1921, P.L. 435. He asserted that the Act was constitutional, but the Superior Court, speaking through Judge Henderson, said:

"The right of self-protection is an attribute of gov-



ernment. No one, whether he be alien or citizen, has any warrant in the Constitution to overthrow its authority by violence, and the right to counteract violence includes the power to prohibit conduct the purpose and effect of which is to produce public disorder and antagonism against the State." (pp.342-343)

This same Act came under attack for alleged unconstitutionality in the case of *Commonwealth vs. Widovich*, 295 Pa. 311, where several Communists had been convicted of engaging in seditious activities. The Supreme Court, speaking through the brilliant Justice Kephart (later Chief Justice), declared:

"The legislature, under the police power, to preserve the State's republican form of government, to suppress insurrection and to maintain the safety, peace and order of its citizens, may enact laws to suppress acts or attempts to commit acts of violence toward the government." (pp. 317-18.)

The Supreme Court here found that the Communist Party "is affiliated with the 'Third International' of Moscow, which is a world-wide revolutionary organization, and it is admitted that a literal interpretation of Communism, as taught by Marx, Lenin, and their school, includes a proletarian revolution and the dictatorship of the proletariat, to be consummated by force." (pp. 316-17.)

Why may not the Commonwealth protect itself against an organization admittedly under the domination and control of a foreign hostile power, doing business within the very borders of our Commonwealth? Even, if outlawing such revolutionary organizations, were in contradiction of a stated limitation in the Constitution, the Legislature could still enact such legislation under the broad police powers of the State. (*Comm. v. Widovich*, supra, p. 318.)

House Bill 1644 does not offend against any provision in the Constitution but to show how far the Legislature may go in protecting its sovereign power, we will quote again from Justice Kephart:

"The police power is the greatest and most powerful attribute of government; on it the very existence of the state depends: 6 R.C.L. 183; *District of Columbia vs. Brooke*, 214 U.S. 138; *Bank v. Haskell*, 219 U.S. 104; *Eubank vs. Richmond*, 226 U.S. 137. If the exercise of the police power should be in irreconcilable opposition to a constitutional provision or right, the police power would prevail: *Jacobson vs. Massachusetts*, 197 U.S. 11, 25, 26; *Buffalo Branch, Mutual Film Corp. v. Breitinger*, supra, 234; *Leiper v. Baltimore & P.R.R.Co.*, 262 Pa. 328; *Scranton v. Pub. Ser. Com.* 268, Pa. 192; *Springfield Water Co. v. Phila.*, 285 Pa. 172. (p 318)

The Communist appellants in the *Widovich* case urged that the Sedition Act violated Sections 2, 7, 9, 13 and 26 of Article I of the Constitution of Pennsylvania and Article XIV of the amendment of the Federal Constitution. Answering, Justice Kephart said:

"The sections of our Constitution chiefly relied on are parts of the second section, which reads: 'The people . . . have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they think proper'; and part of section 7: 'The free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write and print on any subject, being responsible for the abuse of that liberty.'

"Whatever may have been the understanding of section 2, the Civil War definitely decided that no change in the form of government can come about through secession or the withdrawal of a part of the people from our scheme of government. That effort to separate was met with successful armed resistance. The established government is the government of all the people; any change in its form should come from the majority, and the Constitution points the way to effect such a change." (p. 317)

In 1924 the Communist leader Gitlow was prosecuted and convicted under a New York statute directed against criminal anarchy. On appeal to the Supreme Court of the United States he claimed that the law was unconstitutional because it infringed on the constitutional right of free speech. The Supreme Court said:

"By enacting the present statute the State has determined, through its legislative body, that utterances advocating the overthrow of government by force, violence and unlawful means, are so inimical to the general welfare and involve such danger of substantive evil that they may be penalized in the exercise of its police power. That determination must be given great weight. Every presumption is to be indulged in favor of the validity of the statute. That utterances inciting to the overthrow of organized government by unlawful means, present a sufficient danger of substantive evil to bring their punishment within the range of legislative discretion, is clear." (269 U. S. at 668-669)

It will be noted that in this decision the Supreme Court said that "every presumption is to be indulged in favor of the validity of the statute."

The same reasoning would apply to House Bill 1644. In the absence of anything in the statute which clearly offends against the Constitution (and no one can say that there is any such provision in the bill), it is to be presumed that it is constitutional.

It would be a dereliction of duty to refrain from passing needed legislation, with every presumption of its constitutionality, only because there might be an unarticulated objection of a remote and highly improbable unconstitutionality. With the precedents which we have before us in the United States Supreme Court, in the Pennsylvania appellate courts and in the Congress of the United States, the remoteness of unconstitutionality of House Bill 1644 is as far away as to be practically non-existent.

What member of the Legislature is going to vote against a bill aimed at an undisputed clear and present danger on the unsubstantiated rumor that it might be unconstitutional? The Constitution is not a self-defeating instrument, nor is it a suicide pact.

Another expressed fear, which is utterly groundless, is that House Bill 1644 would create ex post facto law. This bill naturally would not go into effect until after it has passed both houses and is approved by the Governor, so that those who are now members of the Communist Party and leave it, provided they have not committed any other now indictable crime, will be free to begin life anew.

#### 5. House Bill 1644 preserves Constitutional Rights

House Bill 1644 does not curtail the right of anyone to argue for a change in our government. If one be so foolish he may, under the provisions of this legislation, argue publicly that he believes the United States should be a colony of Russia. If, however, he should undertake by himself or in concert with others to bring about the Sovietization of America, by the use of force and violence, he would then be in trouble. America will never disturb anyone, (and this legislation upholds that sanctity), who advocates alteration in government so long as such change is accomplished by a decision made in the ballot box. But when one decides upon the use of violence to effect a change, he will be and should be prosecuted.

"Whatever theoretical right there may be to the argument that there is a 'right' to rebellion against dictatorial governments is without force where the existing structure of the government provides for peaceful and orderly change. We reject any principle of governmental helplessness in the face of preparation for revolution, which principle, carried to its logical conclusion, must lead to anarchy." (Chief Justice Vinson in *Dennis, v. United States*, supra.)

The Smith Act and even our present Sedition Act, already upheld in the appellate courts, go constitutionally further than H. 1644. Under those federal and state laws,



there is a restriction on the so-called absolute right of free speech. But under H. 1644, a person may not be punished unless he is a member of a revolutionary organization committed to destroy our very government by force and violence. Being a member presupposes that he has gone through whatever preliminaries would be required to establish the applicant's qualifications for membership in the revolutionary organization. The second situation in this bill which would bring into effect its punitive provisions is that situation where one participates in the activities of the Communist Party or any other revolutionary organization, knowing its revolutionary purposes. The third punitive situation is where one knowingly conspires, aids or abets any person or organization whose activities further the purpose of the Communist Party or any other revolutionary organization to bring a revolution by force and violence.

The fears expressed by some individuals (who apparently have not closely read the bill) that some innocent people might be victimized by its provisions are entirely groundless. In order to be punished under H. R. 1164, it must be proved that the accused knew and actively took part in a movement designed to overthrow the government by force and violence. And why should any mantle of immunity be thrown about anyone who is a knowing and active participant in a movement designed to raze the very structure of American government and the democratic ideals which make America?

#### 6. The Communist Party is a Military Fifth Column

The program of the Communist Party is defined by its members as "scientific socialism." That "science" includes scientific warfare. Compton's Encyclopaedia, 10th Edition, War Volume, and which is studied in Communist classrooms, devotes an important section to the employment of "Propaganda and Fifth Column" in modern warfare.

"Every nation recognizes its value, because if the 'will to win' can be broken by propaganda instead of by inflicting grievous losses, this is 'just as good war' as fighting battles.'" (Compton's, p. 124).

The Communists recognize the Fifth Column and its activities as an extension of its warfront. And yet, paradoxically, we allow the Communist fifth column in America free access into our military establishments and industries and the maximum use of our communications and transportation facilities. Communist journalists are allowed to gather data on our defense setup and report to Russia; they are permitted to gather news everywhere and distort it. Communist scientists are permitted to study our latest machinery and inventions and report to the Soviet Union. And we know all the time that these Communists are enemies of the United States. By the adoption of House Bill 1644 in law, a mortal blow will have been dealt to this phase of Communist aggression.

#### 7. House Bill 1644 is a necessary Protective Measure needed at once.

The program of the Communist Party so unmistakably provides for overthrow of government and so unmistakably foretells a host of evils of even greater magnitude, that the Legislature should not be required to wait until violent overthrow or until even an attempt at such overthrow is imminent. A government should not be asked to gamble on the hope that its sworn enemies will fail in securing the required opportunity and necessary number of supporters to accomplish their revolutionary intention. As the Supreme Court put it in *Gitlow v. N. Y.* 268 U. S. at 669, this amounts to saying that the State's right "to protect itself would come into being simultaneously with the overthrow of the government, when there would be neither prosecuting officers nor courts for the enforcement of the law."

The Communist Party is a highly organized movement and through years of working through the accepted and normal channels of American life, has absorbed all the benefits of corporate existence and governmental protection while working to destroy the very system on which

it feeds. The innumerable mechanical devices of American modern life are used by them in preparing their revolutionary schemes. Depriving them of this equipment will seriously cripple their efficiency. Make it illegal for one to belong to this type of revolutionary organization and you will reduce the membership 98% because Communists, like all criminals, are essentially cowards. 98% of them are Communists because they believe they will gain fat commissar sinecures, come the revolution. Wipe out their meretricious hope and they will desert the Communist Party like rats deserting a sinking ship.

This legislation will wreck their machinery of preparation, prevent the recruitment of followers for their unconstitutional and bloody enterprise and knock out their self-assured fifth column.

#### 8. State action needed to implement Federal Legislation.

This legislation is needed in Pennsylvania. It does not comport with history or wisdom to say that the task of extirpating Communism from America should be left to the Federal Government. When prohibition was law of the land, the State had its own prohibition enforcement act, even though there existed at the same time a federal prohibition act.

In many ways the State is better equipped to find Communists than the Federal Government. Without in any way intending to criticize the Federal Bureau of Investigation, for which, with the rest of America, we have only commendation and praise, it is a fact, as previously stated, that four convicted Communist conspirators, in New York, under strict FBI surveillance, escaped.

With a state statute outlawing Communism, every county detective, every city and borough policeman, and every township officer will be on the alert to arrest Communist revolutionaries, and every county will be ready, through its District Attorney's office and its courts, to prosecute the accused immediately. The Federal Government, because of its limited facilities in Pennsylvania, is compelled to move slowly and restrictedly.

#### 9. Governor Fine urges Pennsylvania take Lead in Fight against Communism.

On August 21st Governor John S. Fine made a speech in Pittsburgh in which he said that Pennsylvania has been a "leader" in the fight against Communism and that "we will continue to attack it until it is stamped out." The Governor is absolutely right in his statement. Pennsylvania is and should be the leader to drive Communism out of America life. The Governor said further that once Pennsylvania acts "other states and other countries will adopt that program."

One hears opponents of anti-Communist legislation say that we are living in a period of hysteria and should not pass laws on this subject for that reason. The 145 members of the House of Representatives who voted for House Bill No. 1644 were not under the influence of hysteria when they approved it. Only eight could see any fault in the legislation. Are we to say that our system of democracy has broken down. And that 145 are all wrong and 8 all right?

These 145 representatives did not vote for this bill because they were hysterical. They voted that way because they were, as all of us are, gravely concerned over the preservation of the American way of life. They were concerned, as all of us are concerned, over our boys being sent to Korea and other parts of the world to save civilization. They had in mind, as all of us must be keenly aware of the top ranking position held by Pennsylvania as the industrial arsenal of freedom for the people of America and for the freedom-hungry peoples of the world.

It is not hysteria but solemn alarm which directs our attention to the serpent of treachery which has shown its fangs in many phases of American life.

The time has come to strike at that serpent. It is fortunate that the Legislature is in session. Were it to enact no other legislation this year but would eradicate Communism from the Keystone State it would earn the gratitude of



every freedom-loving Pennsylvanian and become known in history as the session which once and for all ended the life of the Communist Party here. Once House Bill 1644 becomes law the Communist Party in Pennsylvania will fold up. Other States will then follow Pennsylvania's lead. Other countries will follow the United States.

With Communist fifth columnism destroyed, Joe Stalin will be unable to move beyond his own borders. Stalin needs traitors in order to conquer countries. With his fifth columnist traitors eliminated, Stalin will be like a spider with his legs cut off.

Enactment of House Bill 1644 into law will be the first knife to begin that highly salutary amputation on Joe Stalin.

And the question recurring,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko.
Freed,	McMenamln,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, with the permission of the Senate, I would like to clarify something that is bothering some of the Members of the Senate, on our side in particular. I have here the Senate Calendar from the Pennsylvania Federation of Labor, in which they list the bills they oppose and the bills they favor, and among the bills opposed by the Federation was House Bill No. 1644, which the Senate just passed unanimously.

Mr. President, I want it clearly understood that the Pennsylvania Federation of Labor was interested in one section of the act which was amended, and, therefore, they are in favor of the bill.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1715, as follows:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three thousand dollars (\$3,000) or as much thereof as may be necessary is hereby specifically appropriated to The Brandywine Battlefield Park Commission for the payment of general expenses supplies printing and equipment necessary for the proper

conduct of the work of the commission and to maintain the lands or structures acquired under the provisions of Act No. 517 approved July 5 1947 (P. L. 1293) for the two fiscal years beginning June 1 1951

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamln,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 629 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up House Bill No. 629 from the Third Reading Postponed Calendar for consideration at this time.

Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 629, as follows:

An Act to establish a separate orphans' court in and for the county of Beaver

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In the thirty-sixth judicial district of the Commonwealth composed of the county of Beaver a separate orphans' court is hereby established the name and style of which shall be the Orphans' Court of Beaver County which court shall be a court of record and shall consist of one judged learned in the law

Section 2 Said judge shall hold office in the manner as the judges of the court of common pleas of the county The annual salary of the said judge shall be the same as is paid to the judges of the court of common pleas of the said county and shall be paid in the same manner as the salaries of said judges of the court of common pleas are now or may be hereafter made by law payable

Section 3 The terms of court of the said orphans' court shall be the same as the terms of the court of common pleas of the said county and may also be held at such other times and as often as the judge thereof shall deem necessary and proper

Section 4 The said court shall have and exercise all the



jurisdiction and powers now vested in or which may hereafter be conferred upon the orphans' court of the Commonwealth under and by the virtue of the laws thereof

Section 5 The commissioners of the said county shall provide proper and suitable apartments in which the said orphans' court shall be held and its business transacted and in which the records thereof shall be safely and securely kept

And said bill having been read at length the third time; and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Snowden,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 333 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up House Bill No. 333 from the Second Reading Postponed Calendar for consideration at this time.

The PRESIDENT. Is there objection. The Chair hears none.

#### BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 333, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of minimum salaries and increments of county and district superintendents assistant county and district superintendents teachers supervisors principals supervising principals and other employees

The first section was read.

On the question.

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1 (Sec. 1066), page 2, line 12, by inserting after the word "entitled" the following: "during the school years 1951-1952 and 1952-1953".

On the question,

Will the Senate agree to the amendment?

Mr. WALKER. Mr. President, I ask my colleagues to vote the amendment down.

And the question recurring,

Will the Senate agree to the amendment?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

It was agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 2 (Sec. 1075), page 4, line 17, by inserting after the word "entitled" the following: "during the school years 1951-1952 and 1952-1953".

On the question,

Will the Senate agree to the amendment?

Mr. WALKER. Mr. President. I ask my colleagues to vote the amendment down.

And the question recurring,

Will the Senate agree to the amendment?

(a voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 3 (Sec. 1142), page 5, line 19, by inserting after the word "pay" the following: "during the school years 1951-1952 and 1952-1953"; Amend Sec. 3 (Sec. 1142), page 6, line 2, by inserting after the word "district" the following: "in conformity with".

On the question,

Will the Senate agree to the amendments?

Mr. WALKER. Mr. President, I ask my colleagues to vote the amendments down.

And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 6, page 14, line 11, by inserting after the word "sum" the following: "during the school year 1952-1953 but not"; Amend Sec. 6, page 14, line 14, by inserting after the word "Degree" the following: "during such period".

On the question,

Will the Senate agree to the amendments?

Mr. WALKER. Mr. President, I ask my colleagues to vote the amendments down.



And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

Will the Senate agree to the section?

It was agreed to.

The seventh and eighth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 334 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up House Bill No. 334 from the Second Reading Postponed Calendar for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 334, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursement by the Commonwealth to school districts and vocational school districts.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, before offering my amendment, on behalf of Senator Walker, Senator Fleming and myself, I want to take one minute to give just a word of explanation as to what this amendment does.

Mr. President, several years ago, if you remember correctly, they divided the school districts of Pittsburgh and Philadelphia. Philadelphia is now a school district of the first class and Pittsburgh is first class-A, and under the formula of the school subsidy Pittsburgh, from that time on, has suffered a terrific injustice. To give the gentlemen of the Senate an idea, in round figures, there are in Philadelphia eight thousand teaching units. In the city of Pittsburgh, there are twenty-six hundred teaching units. In other words, Philadelphia has three times the number of teaching units as the Pittsburgh school district.

Mr. President, under this bill Philadelphia will get, if my amendment is not adopted, six times the amount of money that Pittsburgh does. My amendment simply says that the return for school districts of first class-A will be the same as school districts of the first class. In other words, under the bill as it is written now, Pittsburgh will only get \$625,000 return and Philadelphia will get \$4,000,000. This is just to correct that inequality.

Mr. President, on behalf of Senator Walker, Senator Fleming and myself, I offer the following amendment.

Mr. SILVERT. Mr. President, may we be at ease for a minute or two?

(The Senate was at ease.)

Mr. BARR. Mr. President, there are a couple of points I would like to clear up for the Members of the Senate. Some are of the opinion that House Bill No. 334 is an appropriation bill. It is not an appropriation bill. It simply is the bill that mandates the return per teaching unit in all class districts in the State.

Mr. President, some think if we pass this bill, it will cut the allocation of money to other school districts. That again is not true because this simply mandates, if it becomes law, what shall be the return per teaching unit in each type of school district in the State. In other words, this will not cost Philadelphia one cent, and it will not cost Pottsville or any other city in the State any money.

Messrs. BARR, FLEMING and WALKER offered the following amendment:

Amend Section 1, (Sec. 2502), page 14, line 9, by inserting after the word "pupils" and before the word "Provided" the following: "Provided further That no school district of the first class A shall be paid by the Commonwealth on account of the instruction of pupils under the provisions of this section an amount per teaching unit which shall be less than the amount per teaching unit paid by the Commonwealth to a school district of the first class on account of the instruction of pupils and".

On the question,

Will the Senate agree to the amendment?

#### MOTION THAT AMENDMENT BE ADOPTED

Mr. BARR. Mr. President, I move the adoption of the amendment.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WAGNER. Mr. President, I do not particularly relish the obligation which I feel to oppose this amendment, but it seems to me, if the spirit of equalization of State-aid to schools is going to be lived up to, that we must point out the fact that there should not be any differentiation made for any particular city of any size whatever.

Now, Mr. President, many years ago we established in this Commonwealth what educational experts had unanimously agreed is the finest system of financing public schools on a State level that exists anywhere or has ever existed. That formula has been carried out. We have established, incidentally, a Tax Equalization Board to determine local realty values so that we cannot "fix" the score back home to take advantage of our brothers in some other part of the State.

Now, this amendment proposes to desert that formula, and say that one city school district shall not get any less per unit than another city school district gets, apparently ignoring the realty values that might be behind such a movement. Philadelphia does not get so much per unit arbitrarily. As a matter of fact, Philadelphia



feels just as much as Pittsburgh does that it has to have more money for its schools, and so at Philadelphia's request we passed a bill this Session to make an additional realty tax possible for school purposes, and not to be outdone, Pittsburgh came along and had the same kind of a bill introduced in the House. It passed the House unanimously. It came over to the Senate and came to the Education Committee, where we treated it very sympathetically because we said that if Pittsburgh feels the need of more money for schools and is willing, as Philadelphia is willing, to supplement the State subsidy with an additional effort on their own part, let us give them that opportunity. Yet, I find, by looking at yesterday's calendar, on page 21, House Bill No. 488, Printer's No. 476, "An act to impose a temporary tax on real estate for public school purposes in school districts of the first class A for current expenses," and the bill was dropped from the calendar or recommitted to the committee from which it came.

Mr. President, I inquired, knowing Pittsburgh's solicitude for its schools and its school costs, as to the occasion for this, and I was told from two different sources that a study had been made and it was determined that Pittsburgh did not need any more money. Well, if Pittsburgh does not need any more money when it is coming out of their own pocket, I question whether they need it any more when it is coming out of your pocket or my pocket. The thing I am fearful of, and dreadfully fearful of, is that I shall look up the records and I shall find that possibly Frackville gets a few more dollars per unit than Tamaqua does, and then I shall introduce an amendment to the bill that Tamaqua shall not get less than Frackville, no matter how I define the names of the towns. Then Senator Stevenson will find that Lock Haven gets somewhat less than Bellefonte, and he is in with a bill and your formula of equalization of educational opportunity in this Commonwealth, which has made us famous in that respect at least, is thrown down the drain pipe.

Mr. President, I would most sincerely, and only with kindness in my heart for Pittsburgh, believe me, urge for the sake of the future of the public school system in the entire Commonwealth that we stick to our formula, and that we vote down the amendment proposed for Pittsburgh's special case.

Mr. BARR. Mr. President, I do not like to recall things to my good friend, Senator Wagner, but I think that people from Pittsburgh and Philadelphia sat here in this Senate and voted the appropriations for the distressed school districts in his county, and the next county to them, which I think comprised about ninety-five per cent of the distressed school districts in Pennsylvania.

#### INTERROGATION

Mr. BARR. Mr. President, at this point I desire to interrogate the gentleman from Schuylkill, Senator Wagner.

The PRESIDENT. Will the gentleman from Schuylkill, Mr. Wagner, permit himself to be interrogated?

Mr. WAGNER. I will, Mr. President.

Mr. BARR. Mr. President, I would like to ask the Chairman of the Education Committee if there is not a

bill being passed which would freeze the subsidies going back to some school districts, so that they will not suffer under this bill. Am I correct in that, Senator Wagner?

Mr. WAGNER. Yes, Mr. President.

Mr. BARR. I am correct in that?

Mr. WAGNER. Yes, Mr. President.

Mr. BARR. What is the difference then? If some school districts are frozen with a separate act, your whole system of equalization goes out of the window. Now, at least be consistent about our returns to the school districts.

Mr. President, you remember several years ago in here, when Pittsburgh and Philadelphia were the same class school districts, we got the same return. Then Philadelphia came in and asked to be separated from the city of Pittsburgh, which I and Senator Walker vehemently opposed on this floor but lost. Now, the people of Pittsburgh are again suffering for that.

Mr. WAGNER. Well, now, Mr. President, I would suggest to the gentleman that there is just a slight difference in the several things which he considers parallel to this. So far as distressed school districts are concerned, whether they are in Schuylkill County or Allegheny County, all of us will vote for them when we know the need is acute. There is not a man in this Senate, if Pittsburgh came in here next week and said they were not able to pay their teachers' salaries, and could prove their case and show why there was a deficiency in their revenue, who would not vote the necessary thousands or millions of dollars to keep the boys and girls in school, and teachers in the classrooms in Pittsburgh.

Now, Mr. President, there is a difference between distress and an established basis of subsidies. I would also remind him that this freeze clause which he talks about was put in so that there would not be a few schools in the State or districts getting less money than they got years ago. That is a hard pill to swallow, and under this formula, which made more money available to ninety-five or ninety-six per cent of the school districts, there were a few that because of the formula would have gotten less money from the State than they got ten years ago, and we thought—

Mr. BARR. Mr. President, will the gentleman yield for just a moment?

Mr. WAGNER. Yes, Mr. President.

Mr. BARR. Mr. President, I want to correct the gentleman from Schuylkill, Senator Wagner, on one thing. We are getting less on account of the separation from Philadelphia than we would have gotten under the same thing you are talking about, under this freeze clause for other districts.

Mr. WAGNER. Mr. President, I think Pittsburgh and Philadelphia both come under the minimum payment.

Mr. BARR. Mr. President, we get the minimum.

Mr. WAGNER. Mr. President, there is a minimum reimbursement under which no district shall go, and that has been increased under this bill, so that, if I am not incorrect, Pittsburgh will get substantially more under this bill than they are getting under the present bill.



Mr. BARR. Mr. President, Pittsburgh will get \$250 while Philadelphia gets \$500.

Mr. WAGNER. Well, Mr. President, there again we are comparing Peter and Paul just as two individuals and not necessarily as personalities, just as physical beings. Pittsburgh is not neglected under this bill. They are enriched, and their reimbursements are increased over the present arrangement. I think that should be made abundantly clear.

Now, Mr. President, if Philadelphia gets more per unit than Pittsburgh gets, that can only mean, and I do not make the measurements, that Philadelphia does not have as much local wealth back of a unit of pupils as Pittsburgh has, and the whole formula is designed to equal that, help the poor fellow give his children as good an education as the wealthy fellow, and so we give the wealthy fellow a little bit, the rich man a little more and we give the poor fellow enough to keep stepping.

Now, Mr. President, if you want to discard all of that, the amendment will be the beginning of that destruction.

Mr. BARR. Mr. President, it is true that House Bill No. 488 was dropped from the calendar yesterday, and I do not think that the school board should be criticized because they have handled their affairs in a businesslike manner, and found they will have a little surplus and that they will not need the increased mill and a half on the real estate in the city of Pittsburgh. I do not think they should be criticized for good management and a high percentage of collection of taxes.

Mr. BARR. Mr. President, I ask for a roll call.

Mr. FLEMING. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BARR and Mr. FLEMMING and were as follows, viz:

#### YEAS—8

Barr, Barrett,	Dent, Fleming,	Haluska, Holland,	McMenamin, Walker,
-------------------	-------------------	----------------------	-----------------------

#### NAYS—34

Bale,	Kessler,	Peelor,	Taylor,
Berger,	Lane,	Propert,	Wade,
Blass,	Leader,	Robinson,	Wagner,
Byrne,	Letzler,	Rosenfeld,	Watkins,
Chapman,	Mahany,	Ruth,	Watson,
Crowe,	Mallery,	Silvert,	Wolfe,
DiSilvestro,	McCreesh,	Stevenson,	Wood,
Freed,	Meade,	Stiefel,	Yosko,
Hare,	Pechan,		

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 1 (Sec. 2501), page 3, lines 11 and 12 by striking out "for the school year 1951-1952" and inserting in lieu thereof "and for each school year thereafter"; Amend Sec. 1 (Sec. 2501), page 3, line 12 to 19 both inclusive by striking out "for the school" in line 12, and all of lines 13 to 19, both inclusive. Amend Sec. 1 (Sec. 2501), page 4, line 1, by striking out "year thereafter five thousand five hundred dollars (\$5500)"; Amend Sec. 1 (Sec. 2501), page 7, lines 4 and 5, by striking out "for the school year 1951-1952" and inserting in lieu thereof the following "and for each school year thereafter"; Amend Sec. 1 (Sec. 2501), page 7, lines 8 to 19 both inclusive by strik-

ing out "for the school" in line 8 and all of lines 9 to 19 both inclusive"; Amend Bill, page 8, lines 1 to 20 both inclusive by striking out all of said lines"; Amend Sec. 1 (Sec. 2501), page 9, lines 6 and 7, by striking out "for the school year 1951-1952" and inserting in lieu thereof "and for every school year thereafter"; Amend Sec. 1 (Sec. 2501), page 9, lines 10 to 19 both inclusive by striking out "for the school" in line 10 and all of lines 11 to 19 both inclusive; Amend Bill, page 10, lines 1 to 19 both inclusive by striking out all of said lines; Amend Bill, page 11, lines 1 to 4 both inclusive by striking out all of said lines; Amend Sec. 1 (Sec. 2502), page 13, line 13, by striking out "for the school year 1951-1952" and inserting in lieu thereof "and for every school year thereafter"; Amend Sec. 1 (Sec. 2502), page 13, lines 14 to 20 both inclusive by striking out "for the school year 1952-1953 by four" in line 14, all of lines 15 to 20 both inclusive; Amend Sec. 1, (Sec. 2502), page 14, lines 1 and 2, by striking out all of line 1, and "after by five thousand five hundred dollars (\$5500)" in line 2; Amend Sec. 1 (Sec. 2502), page 15, line 4, by inserting after the word "made" the following "during the school year 1951-1952 and 1952-1953 for the school years 1950-1951 and 1951-1952."

On the question,

Will the Senate agree to the amendments?

#### MOTION THAT AMENDMENTS BE ADOPTED

Mr. KESSLER. Mr. President, I move that the amendments be adopted.

Mr. PROPERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, I ask my colleagues to vote "no."

Mr. WAGNER. Mr. President, I would like to second the request of the gentleman from Allegheny, Mr. Walker.

And the question recurring.

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the negative).

And the question recurring.

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 1051 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up House Bill No. 1051 from the Second Reading Postponed Calendar.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1051, on second reading, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

be recommitted to the Committee on Mines and Mining.



Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Public Health and Welfare.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

### REPORTS FROM COMMITTEES

Mr. HOLLAND. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOLLAND, from the Committee on Public Health and Welfare reported as committed, Senate Bill No. 883, entitled:

An Act to amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (Act No. 264), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties," by clarifying certain provisions thereof; and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

Mr. ROBINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBINSON, from the Committee on Agriculture, reported as committed, Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," by increasing the maximum amounts of payments by the State for registered and unregistered cattle.

He also, from the Committee on Forests and Waters,

Game and Fish, reported as committed, Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for removal of all protection on racoons in counties infested with rabies upon notice to commission by Department of Agriculture.

### BILLS RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 148, on second reading, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by authorizing the investment of such funds in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

be recommitted to the Committee on Banking.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 149, on second reading, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

be recommitted to the Committee on Banking.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by



increasing pensions for the blind and changing the provisions relating to eligibility therefor.

And said bill having been read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 623, on second reading, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirements that certain exemptions are not available until five days after a claim therefor is mailed or filed.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 863, on second reading, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the disposition of fines.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L.

1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 3, page 8, lines 8 and 9, by striking out both of said lines; Amend Sec. 3 (Sec. 6.1), page 8, lines 10 to 20, both inclusive, by striking out all of said lines; Amend Sec. 3 (Sec. 6.1), page 9, lines 1 to 18, both inclusive, by striking out all of said lines; Amend Sec. 3 (Sec. 6.1), page 10, lines 1, 2 and 3, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 4, page 10, line 4, by striking out the figure "4" and inserting in lieu thereof "3".

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 5, page 15, line 16, by striking out the figure "5" and inserting in lieu thereof "4".

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 6, page 16, line 12, by striking out the figure "6" and inserting in lieu thereof "5".

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 7, page 18, line 16, by striking out the figure "7" and inserting in lieu thereof "6".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?



Mr. WAGNER offered the following amendments:

Amend Title, page 1, last two lines of Title, by striking out the words "authorizing the issuance of limited real estate" in the next to last line and all of the last line; Amend Title, page 2, lines 1 and 2 of Title, by striking out all of line 1, and the words "of the department and commission with respect thereto" in line 2.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILL OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that House Bill No. 1047, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1116, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1246, on second reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1428, entitled:

An Act to further amend the act approved the seven-

teenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the Violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1429, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said laws and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:



An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1546, entitled:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1550, on second reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investments of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers.

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" increasing the fees charged by the Pennsylvania Securities Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus



and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1567, entitled:

An Act to amend subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1581, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1585, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal

agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1587, entitled:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Au-



thority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1607, entitled:

An Act providing for the marking of liquified petroleum gas containers prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidate primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1648, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1664, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the



titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1671, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1680, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by extending the time within regulations must be filed in the Department of State.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg, Pennsylvania with private capital, the solicitation of such capital, and the acceptance of such chapel by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 883, entitled:

An Act to amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (Act No. 264), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties," by clarifying certain provisions thereof; and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Common-



wealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," by increasing the maximum amounts of payments by the State for registered and unregistered cattle.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revis-

ing, consolidating, and changing the law relating thereto," by providing for removal of all protection on racoons in counties infested with rabies upon notice to commission by Department of Agriculture.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, November 28, 1951, at 1 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:47 o'clock, p. m., Eastern Standard Time, until Wednesday, November 28, 1951, at 1 o'clock, p. m., Eastern Standard Time.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, NOVEMBER 28, 1951.

No. 93.

## SENATE

WEDNESDAY, November 28, 1951.

The Senate met at 1 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

## PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray. Almighty God, Whose favor is life and Whose loving kindness is better than life, we give Thee thanks for Thy good gift of life, for work to do and strength to do it, for the confidence of our neighbors, the faith of our friends and the love of our families. We thank Thee for the freedom that is ours to be our best, and for the brotherhood of mankind which can make our land the best.

Lord, remind us often that one square inch of this good land of liberty is worth more than a thousand square miles of those lands where tyranny lives, and Godlessness reigns and truth is in chains. O God, give us the simple decency then to use our freedom not for selfish ends, but for great good purposes. So may our Country be kept great by our loyalty to the highest, even in little things. Amen and Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WATKINS, further reading was dispensed with, and the Journal was approved.

## LEAVES OF ABSENCE

Mr. Walker asked and obtained leave of absence for Mr. SCARLETT, because of illness.

He also asked and obtained leave of absence for Mr. DIEHM, because of illness.

He also asked and obtained leave of absence for Mr. WAGNER, because of illness.

## INTERROGATION

Mr. HALUSKA. Mr. President, I would like to interrogate the gentleman from Allegheny County, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Certainly, Mr. President.

The PRESIDENT. The gentleman will proceed.

Mr. HALUSKA. Mr. President, as all of us know, here in Pennsylvania the deer season opens up next Monday, and many of the Members of the House and Senate who take to hunting big game made plans, including myself, on the premise that the Session would be reconvened on the tenth day of December, and being a game hunter for thirty-three successive years, I wanted to maintain that record and I also made plans.

Mr. President, I would like to ask the gentleman from Allegheny County whether or not in his judgment we shall have before this body any tax bills next week that may require a vote. If not, then I should like to be released for next week and take care of my hunting duties. However, realizing that I have a responsibility, if the gentleman thinks that the tax program will come up for final vote, then, naturally, I must forego my pleasure. Can the gentleman tell me what he has planned up to the present moment along those lines?

Mr. WALKER. Well, Mr. President, I am very desirous of answering the gentleman's question as nearly correct as I can with the somewhat limited knowledge that I have of developments up to this point, and I would like to say to my distinguished colleague from Cambria that as far as I know now there will be Sessions the early part of next week, at least Monday, Tuesday and Wednesday, and perhaps further Sessions on Thursday and Friday.

I am hopeful, Mr. President, and I do not want to be misunderstood in this, that the fiscal problems of the Commonwealth will be finally resolved next week for the 1951-1953 biennium.

Mr. HALUSKA. Then, Mr. President, I take it from that statement that the gentleman feels definitely that this body will vote on a tax program. Mr. Walker, can you tell me whether or not it may be before Thursday?

Mr. WALKER. Mr. President, I am sorry, I wish I could give him the information but, frankly, I do not have it at this time, Senator. I do not know how rapidly or how conclusively this fiscal picture will develop. I do not want to be trite and say to him that the committee reports progress, but we are hopeful that the fiscal problem will be solved as far as this biennium is concerned next week.

Now, whether the roll call, Senator, would be on Tuesday, or Wednesday or Thursday, I do not know.



Mr. HALUSKA. I see, Mr. President. The gentleman realizes I am sincere in my interrogation.

Mr. WALKER. I appreciate that, and I am confronted with the same thing, as are quite a number of the Members of the Senate who for years have done the thing that you are talking about. We all want to go hunting but we would like to get this thing over with and that is of concern to all of us, and I appreciate the sincerity of your desire to not break your long years of recreation during the hunting season.

Mr. HALUSKA. Well, may I ask, Mr. President, does the gentleman think I am, comparatively safe in being away Monday and Tuesday, and be back here Wednesday?

Mr. WALKER. Well, Mr. President, I will say this to the Senator. I think he has a greater degree of safety in being away Monday and Tuesday than he would have in being away, let us say, Wednesday and Thursday. As the gentleman knows, if the Finance Committee would meet, the earliest date they could meet would be Monday and that would mean that the earliest that bills could appear on the Senate Calendar, if any are reported out of the Finance Committee, would be on the Tuesday Calendar, at which point they would be on Second Reading.

Mr. HALUSKA. Then, Mr. President, it seems I could take the chance of coming back Wednesday, I would assume.

Mr. WALKER. Mr. President, I would say that to the gentleman, if he is desirous of making arrangements like that, if he will leave with the Secretary of the Senate some method of communication with him, I assure the gentleman that he will get a daily report of the status of the fiscal problem so he will know just where we are with it.

Mr. HALUSKA. Mr. President, I appreciate that, but it just so happens where our camp is located in Tioga County, it is so far out of civilization that there are no phones within thirty miles.

Mr. President, it may be that I could drive into town Tuesday night and call somebody. I feel it is my duty to support the tax program, it is my obligation, and after being in Session for nine months, I would hate very much to be away on that date. That is why I would really like to lend my support in passing some kind of a tax program.

Mr. WALKER. Mr. President, I appreciate that.

Mr. BERGER. Mr. President, would the gentleman yield?

Mr. HALUSKA. Yes, Mr. President.

Mr. BERGER. Mr. President, I do not wish to take any offense at any remarks made by the gentleman from Cambria, but I do wish to have the record show that there are no points in Tioga County that are more than thirty miles from telephones.

Mr. HALUSKA. Mr. President, I would like to advise the gentleman from Tioga County that I was down in camp during the first day of turkey season, and the big snow came and it took me exactly three hours to get from the camp to the pike. Now, that is only about, probably, eighteen miles from our camp, and then I do not know how far I had to go to a telephone from there. It is a nice little part of the country, I must say that.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on November 28, 1951.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 28, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

### ALLEGHENY COUNTY

Peter H. Cardiges, Pittsburgh, 535 Fifth Ave.  
Ladimer Malanchuk, Ross Twp., Bellevue Rd. & Quail Ave., Pittsburgh.  
Miss Anna M. Wall, Pittsburgh, 2219 Brownsville Rd.

### CHESTER COUNTY

Thomas C. McDougald, South Coatesville.

### COLUMBIA COUNTY

Charles L. Geese, Bloomsburg.

### PERRY COUNTY

Miss Lois J. Reeder, Bloomfield.

### PHILADELPHIA COUNTY

Thomas P. Flanagan, 4550 Torresdale Ave.  
Maurice Kahn, 1406 South St.  
George H. Lennox, Jr., 1428 South Penn Square.  
Mrs. Bernice Levensohn, 3 South St.  
Charles J. Mallon, 411 Slocum St.  
E. H. McGrogan, Rm. 200, 3720 N. Broad St.  
Jay V. Rees, 136 N. 12th St.

### SOMERSET COUNTY

Mrs. Edith L. Lehman, Windber.

### WARREN COUNTY

Howard Owen Flick, Warren.

### WASHINGTON COUNTY

Mrs. Barbara C. Davis, Washington.  
Mrs. Sarah K. Evans, Sewickley Twp., Herminie.  
Charles G. Russell, New Kensington.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—47

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blaas,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Walker,
Chapman,	Leader,	Propert,	Watkins,
Crowe,	Letzler,	Robinson,	Watson,
Dent,	Mahany,	Rosenfeld,	Wolfe,
DiSilvestro,	Mallery,	Ruth,	Wood,
Fleming,	McCreesh,	Silver,	Yosko,
Freed	McGinnis,	Snowden,	

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

ALDERMAN, SECOND WARD, FARRELL,  
MERCER COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 28, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Saverio Grande, 1301 Bond Street, Farrell, Mercer County, for appointment as Alderman in and for the Second Ward of the City of Farrell, Mercer County, until the first Monday of January 1954, vice William E. Ward, resigned.

JOHN S. FINE.

## JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 28, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fred E. West, Box No. 141, M. R. No. 2, New Kensington, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Lower Burrell, Westmoreland County, until the first Monday of January 1954, vice Roy Anthony, deceased.

JOHN S. FINE.

## BILLS INTRODUCED AND REFERRED

Messrs. MALLERY and MAHANY read in place and presented to the Chair Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by permitting employees of school districts to serve as councilmen.

Which was committed to the Committee on Local Government.

Mr. KESSLER read in his place and presented to the Chair Senate Bill No. 892, entitled:

An Act to add subsection (d) to section 530 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth; courts, county boards of election, county commissioners; imposing penalties for violation of the act, and codifying revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by requiring that the Flag of the United States be flown or displayed at polling places on election days.

Which was committed to the Committee on Elections.

## PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent address the Senate.

Mr. YOSKO. Mr. President, I desire to make a brief statement before I present this resolution.

The PRESIDENT. The gentleman from Northampton, Mr. Yosko, may proceed.

Mr. YOSO. Mr. President, I received letters, and I am sure other Members of this Senate received letters, from the Pennsylvania Hospital Association, outlining the current financial condition of some of these institutions by virtue of the fact that they have not received their quarterly appropriations. I understand they did not receive those appropriations, although we did provide stopgap funds here before the recess, for the reason that the Attorney General decided that the funds to these institutions were in a non-preferred class and, therefore, the appropriation that we made, the stopgap appropriation, funds from that appropriation could not be used to allocate funds to the institutions.

Mr. President, I tried to get a copy of that opinion. I called the Attorney General's Department. They made a search and they could not find it. I called the Budget Bureau, and the same thing applied there. I, therefore, assumed that whatever opinions were expressed were verbal.

In any event, Mr. President, from statistics that I compiled yesterday there are approximately two hundred sixty state-aided institutions that are now awaiting these funds. The first quarterly allocation was due on August 1, and the second quarterly allocation will be due on December 1, and there are some people of the impression that the Legislature must decide the full amount of the appropriation to be made to these institutions. Of course, I disagree with that. I disagree with that because, regardless of how much appropriate to any particular institution, they only get what they earn, and what they earn is decided by reports that are filed by these institutions, which are subsequently audited by the Auditor General's Department. As of the present time, some two hundred fifty-eight institutions are involved, one hundred fifty-eight of them have filed their quarterly reports, ninety-eight of these reports, have been audited and the balance are in the process of being audited, so that these funds are due and payable to them.

Mr. President, they are up against it financially, and I think they ought to have their money. For that purpose I think the Appropriations Committee ought to meet and provide the necessary funds to at least take care of the first quarterly payment which was due on August 1,



and I understand that amount is about four and one-quarter million dollars.

Accordingly, Mr. President, I present the following resolution and move its immediate adoption.

**SENATE RESOLUTION REFERRED TO COMMITTEE  
SUGGESTING APPROPRIATION COMMITTEE MEET  
TO PROVIDE TEMPORARY APPROPRIATIONS  
FOR STATE-AIDED INSTITUTIONS**

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, November 28, 1951.

Whereas, as a result of the confusion presently existing in the State's Fiscal program, approximately 260 State Aided institutions have not received appropriations which would be due them quarterly, August 1, 1951 and which will become due December 1, 1951 and which they would normally receive every three months thereafter during the current biennium, and

Whereas, many of these institutions now find themselves in strapped financial circumstances resulting in an inability to serve the citizens of this Commonwealth in the usual manner, and

Whereas, this condition has been brought about only because of a verbal opinion by the Attorney General of this Commonwealth, which opinion has attempted to segregate funds for these institutions into a "non-preferred class," and

Whereas, the verbal opinion of the Attorney General was rendered only as a subterfuge to carry out the threat of the Governor of the Commonwealth relative to the withholding of funds in order to create the financial situation which now exists in these institutions; the creation of the existing financial situation in state-aided institutions was intended as a means of exerting pressure upon the Members of the Senate to vote for the proposed income tax, and

Whereas, it is highly questionable whether funds of this kind or appropriations for this purpose should legally be considered non-preferred, and

Whereas, it is conceded without question that expenditures of this kind are of the greatest need and represent the highest moral obligation of this Legislature since they concern themselves in the main with services to citizens of this Commonwealth, who are most needy, and

Whereas, as a result of said opinion by the Attorney General of this Commonwealth, most of the appropriation bills for this purpose have been re-referred to the Appropriation Committee,

Now therefore it is suggested now that the income tax bill is dead, that the Appropriation Committee of the Senate meet to re-consider said appropriation bills for the purpose of providing sufficient temporary appropriations, re-report them, as amended, to enable this body to take immediate action, so that the periodic payments due and to become due, can be made to the institutions involved until such time as appropriations in a definite amount are determined by the General Assembly.

**REQUEST THAT RULE 39 BE SUSPENDED**

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration of the resolution.

The PRESIDENT. The resolution is referred to the Committee on Rules.

**RECESS**

Mr. DENT. Mr. President, I move that the Senate

do now take a recess for ten minutes, to permit a Democratic Caucus.

Mr. WALKER. Mr. President, I second the motion. The motion was agreed to.

**AFTER RECESS**

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

**PERSONAL PRIVILEGE**

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, will state his question of personal privilege.

Mr. HALUSKA. Mr. President, I want to make some clarifying remarks so that my colleagues on both sides of the house, and especially my colleagues on this side of the house, shall not be accused by newspapers or by their constituents in the place where they are being persecuted for things they have not done, and things they have not said with regard to the charges that I have made. I feel that I owe it to them, and I want to frankly state my position.

Mr. President, when I made my speech at the Ebensburg Court House, I said in addition to being approached myself—now get this right, Mr. President—I said there are rumors that other deals are in the making. I said that one of them was that Senator Dent and Senator Barr are interested in the Pittsburgh investigation. The other was that certain minority representation will be given the Democrats on the Liquor Control Board. The third was that there was a rumor that on the Turnpike Commission, one of those positions would be given to a Democrat. I said if my charges are properly investigated, all of these rumors should be aired accordingly to clarify the rumors afloat in Pennsylvania. They were only rumors.

Mr. President, I at no time accused anybody. At no time did I mention names, and I am even told now that my colleague from Beaver County, Senator Neff, was mentioned by me. No reporter, no other living person can stand in place and say that I ever mentioned the name of Senator Neff as being involved in any deal. Others talked about deals, and I said all these deals should be properly aired.

Now, Mr. President, to show you how far one may go, in today's Pittsburgh Post Gazette, Wednesday, November 28, under an editorial, I read as follows:

"Indeed, Senator Haluska hints"—now, imagine that—"hints that two prominent Senators in his own Democratic Party toyed with a political deal regarding the State income tax." I have never said two, prominent Democrats or two prominent Republicans. I have never mentioned names. The paper goes out and creates a hint, and accuses innocent people. I think it is most unfair.

Mr. President, I read here in the Patriot, wherein I asked the Governor what personal consideration will be shown those Democrats who may vote for the income tax. Mr. President, I made that remark and I stand back of it because I heard of these rumors. None of my Democratic colleagues prompted me to make that remark, none of my Democratic colleagues knew I was making that remark. I was speaking solely for myself, and the record so shows it. The other Democrats who attended the meeting at Hershey asked their own questions about the fiscal



problem, but they were not involved or should not be accused for the remarks that I made. I want them exonerated. I stand back of the remarks that I made. I want none of my colleagues involved or dragged into any sin of omission if there is any. I feel there is none. When the time comes I will speak for myself but I do not want any colleagues accused unjustly.

Mr. President at no time did I say that Senator Dent and Senator Barr were making a deal or were made an offer to clear the Pittsburgh investigation. They take care of their own problems. Personally I do not think Dave Lawrence the Mayor of Pittsburgh needs any clearance. That is my personal thought and what Senator Barr did in committee on the income tax and Senator Dent, that was their own personal privilege and their duty. As I said yesterday, or the day before yesterday, the record shows that I spoke on the floor of this Chamber and I said that the income tax bill should come out of committee. Give us the right to vote for it or against it. Let us dispose of it. They helped to bring it out. That was up to them. It was not at my insistence. I guess Republicans voted for it, too. They were ready to vote for it or against it. That is entirely up to their conscience. I cannot speak for them when a final vote would come, but I assume they would have voted against it but it is very unfair, Mr. President, for the papers to carry a story that hints certain men are involved, because I owe that to my colleagues on both sides of the house, and when I mention names, I will

mention names directly. I do not want to be quoted as quoting hints, and then somebody pick them up back home and accuse innocent men. Of course, it is true the paper sometimes has a way of putting words in the mouths of people. That is entirely up to them, but they should be fair in this matter and hold me responsible for what I have said, but do not drag in the names of people who are not involved.

### CALENDAR

FOR WEDNESDAY, NOVEMBER 28, 1951, OVER IN ITS ORDER

Mr. WALKER. Mr. President, I move that the Calendar for Wednesday, November 28, 1951, in its entirety, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, December 3, 1951, at 4 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:19 o'clock, p. m., Eastern Standard Time, until Monday, December 3, 1951, at 4 o'clock, p. m., Eastern Standard Time.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, DECEMBER 3, 1951.

No. 94.

## SENATE

MONDAY, December 3, 1951.

The Senate met at 4 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPENS, D. D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray. Almighty God, by Whose grace we live our lives and do our work, we thank Thee for Thy guiding hand upon us, for Thy protection round about us and for all the evidences of Thy love and care.

Look with favor, we beseech Thee, upon this Senate assembled for a new week of responsibility and labor. Prosper whatever has been accomplished that is in accordance with Thy will.

Grant unto these, Thy servants, wisdom as they face the tasks yet before them, and may they labor as in Thy sight alone. Give them a vision of truth and justice, endow them with patience and strength, and keep them loyal to the highest and best. Our times are in Thy hand, O Lord. Let Thy hand be upon their shoulder, Thy voice be their chief counsel and Thine approval their highest goal.

Lord, Thou alone knowest what burdens these men carry. Grant them Thy help and guide them, we pray. In the Master's name, Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. CROWE, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

The Secretary to the Governor being introduced presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 3, 1951.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 3, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Miss E. E. Elliott, Pittsburgh, 239 Fourth Ave.  
C. A. Hale, Jr., Harrison Twp., Tarentum.

#### BRADFORD COUNTY

Nelson Lundy, Wysox Twp., Wysox.

#### BUTLER COUNTY

Dominick P. Lapa, Butler.

#### CUMBERLAND COUNTY

Miss Alice V. Noaker, Carlisle.

#### DAUPHIN COUNTY

Joseph Wohl, Harrisburg.

#### LACKAWANNA COUNTY

Joseph F. Sroka, Throop.

#### LAWRENCE COUNTY

Mrs. Emily S. D'Eletto, Pulaski Twp., Pulaski.

#### LEBANON COUNTY

Lester E. Spancake, Cornwall.

#### LUZERNE COUNTY

Joseph Mauro De Marinis, Hazleton.  
Mrs. Adelaide W. Maschal, Forty Fort.

#### MONTGOMERY COUNTY

Miss Gloria G. Marrow, Norristown.

#### PHILADELPHIA COUNTY

Joseph C. Britt, 123 S. Broad St.



Mrs. Myra Lebovitz, 1709 Market St. Nat'l Bank Bldg.  
 Perry L. Lessy, 6815 Regent St.  
 Miss Mary L. McDevitt, 35 S. 9th St.  
 Mrs. Martha Mark Quinton, 121 S. Broad St.  
 Mrs. Catherine F. Rowan, Rm. 1116, 35 S. 9th St.

#### POTTER COUNTY

F. J. Wandall, Coudersport.

#### SCHUYLKILL COUNTY

Fred Schmerfeld, Sr., Rush Twp., Quakake.

#### WASHINGTON COUNTY

Miss Lena L. McCarty, Washington.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Freed,	McMenamin.	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Leizler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
			Yosko,

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### NOMINATIONS BY THE GOVERNOR

#### REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### MEMBERS OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
 Governor's Office, Harrisburg, December 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Susquehanna County Board of Assistance:

Frank Bunnell (Republican), Springville, Susquehanna County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Byron Benninger, Dimoc, whose term expired.

Mrs. Emma E. White (Republican), 68 Church Street Montrose, Susquehanna County, to serve until December 31, 1951, and until her successor is duly appointed and qualified, vice Mrs. Elizabeth Mack, Montrose, resigned.

Leon Entrot (Republican), Uniondale, Susquehanna

County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Edmund Tierney, Susquehanna Depot, resigned.

JOHN S. FINE.

#### MEMBERS OF THE CHESTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
 Governor's Office, Harrisburg, December 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Chester County Board of Assistance:

Mrs. Ellen W. Kraus (Republican), West Chester, from February 15, 1950, until December 31, 1952.

J. Elmer Gotwals (Republican), Phoenixville, from February 15, 1950, until December 31, 1952.

Milton Apfelbaum (Democrat), Coatesville, from August 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Mrs. Eugenia Cassatt Davis (Republican), Berwyn, from January 1, 1951, until December 31, 1953.

Sidney B. Hutton (Republican), West Grove, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

### REPORTS FROM COMMITTEES

Mr. PEELOR, from the Committee on State Government reported as committed, Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of May, one thousand eight hundred seventy-four (P. L. 159), entitled "An act relating to compulsory arbitrations," by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 715), entitled "An act relating to Reference and Arbitration," by providing, by rule of court, for the arbitration of certain suits at issue and prescribing the procedure; the appointment and compensation of arbitration and the payment of fees and costs in such cases.

### BILLS INTRODUCED AND REFERRED

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 893, entitled:

An Act requiring funds, derived by cities of the second class from rentals or charges imposed upon consumers for water services, to be used solely for construction, reconstruction, maintenance, improvement and repair of such water works and for payment of obligations incurred for such purposes and prohibiting transfers of such funds.

Which was committed to the Committee on Local Government.

Messrs. WATKINS, PROPERT and WATSON read in place and presented to the Chair Senate Bill No. 894, entitled:

An Act to amend Section 1 of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or



to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by prohibiting the imposition of wage, income or occupation taxes on non-resident and abolishing such taxes heretofore imposed.

Which was committed to the Committee on Local Government.

Mr. RUTH read in place and presented to the Chair Senate Bill No. 895, entitled:

An Act to further amend Section 652 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the payment of expenses to members of research boards in counties of the third class.

Which was committed to the Committee on Local Government.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 28, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fred E. West, Box No. 141, M. R. No. 2, New Kensington, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Lower Burrell, Westmoreland County, until the first Monday of January 1954, vice Roy Anthony, deceased.

JOHN S. FINE.

#### ASSOCIATE JUDGE, COUNTY OF PERRY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. LeRue Hess, Duncannon, Perry County, for appointment as Associate Judge in and for the County of Perry, until the first Monday of January 1954, vice Hon. George G. Shellehamer, New Bloomfield, deceased.

JOHN S. FINE.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William

A. Allshouse, Main Street, Plumville, Indiana County, for appointment as Justice of the Peace in and for the Borough of Plumville, Indiana County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

#### MEMBER OF THE ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Esther J. Tinsley, Pittston, Luzerne County, for appointment as a member of the Advisory Hospital Council, from December 13, 1949, until November 18, 1952, and until her successor shall have been appointed and qualified.

JOHN S. FINE.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elva M. Pearce, 215 Orchard Lane, Edgeworth, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Edgeworth, Allegheny County, until the first Monday of January 1954, vice Stewart M. Morgan, Jr., resigned.

JOHN S. FINE.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward H. Klein, 96 Center Street, Hughestown, Pittston, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Hughestown, Luzerne County, until the first Monday of January 1954, vice John F. Sterling, resigned.

JOHN S. FINE.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel J. Podskoch, 24 Mountain Street, Swoyersville, Wilkes-Barre, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Swoyersville, Luzerne County, until the first Monday of January 1954, vice Peter P. Maholik, resigned.

JOHN S. FINE.

#### ALDERMAN, FIRST WARD, POTTSVILLE, SCHUYLKILL COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold Gerstenfeld, 200 North Centre Street, Pottsville, Schuylkill County, for appointment as Alderman in and for the First Ward of the City of Pottsville, Schuylkill County,



until the first Monday of January 1952, vice John T. W. Faulls, resigned.

JOHN S. FINE.

MEMBER OF THE BOARD OF TRUSTEES OF  
NORRISTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Hubley R. Owen, Valley Forge Road and Williams Corner Phoenixville, Chester County, for appointment as a member of the Board of Trustees of Norristown State Hospital for the term of four years, and until his successor is qualified, vice George B. Passmore, Oxford, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harvey J. Polen, 801 Taylor Street, Kennett Square, Chester County, for appointment as Justice of the Peace in and for the Borough of Kennett Square, Chester County, until the first Monday of January, 1952, vice Walter M. Grace, deceased.

JOHN S. FINE.

MEMBER OF MONROE COUNTY BOARD OF  
ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Louraine B. Kraemer (Democrat), 114 North Sixth Street, Stroudsburg, Monroe County, for appointment as a member of the Monroe County Board of Assistance to serve until December 31, 1951, and until her successor is duly appointed and qualified, vice Mrs. Sally Rosenkrans, Delaware Water Gap, resigned.

JOHN S. FINE.

ALDERMAN, THIRTEENTH WARD, READING,  
BERKS COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Lennox, 944 North Ninth Street, Reading, Berks County, for appointment as Alderman in and for the Thirteenth Ward of the City of Reading, Berks County, until the first Monday of January 1954, vice George Milmore, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry J. Crum, R. D., Barto Berks County, for appointment as Justice of the Peace in and for the Township of Hereford,

Berks County, until the first Monday of January 1954, vice Daniel A. Ruppert, deceased.

JOHN S. FINE.

MEMBER OF THE LEHIGH COUNTY  
BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert E. Haas, Esq., (Republican), 502 Hamilton Street, Allentown, Lehigh, County, for appointment as a Member of the Lehigh County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

MEMBER OF THE BOARD OF TRUSTEES OF EASTERN  
PENNSYLVANIA PSYCHIATRIC INSTITUTE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Isidor Ravdin, Vice President of Medical Affairs, University of Pennsylvania, Philadelphia, Philadelphia County, for appointment as a Member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1954, and until his successor shall have been appointed and qualified, vice Dr. Robin C. Buerki, Merion Station, resigned.

JOHN S. FINE.

MEMBER OF THE NORTHAMPTON COUNTY BOARD  
OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Field Oldt, Esq., (Democrat) 916 Fairfield Avenue, Easton, Northampton County, for appointment as a member of the Northampton County Board of Assistance, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice Rabbi Joshua Trachtenberg, resigned.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations just read.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOLFE, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WOLFE, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelr,	Wade,
Byrne,	Leader,	Proper,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Dent,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Wood,
Fleming,	McMenamin,	Snowden,	Yosko,
Freed,			

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Highways.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## CALENDAR

## HOUSE BILL No. 333 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 333, for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 333, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of minimum salaries and increments of county and district superintendents assistant county and district superintendents teachers supervisors principals supervising principals and other employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand sixty-six of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relat-

ing thereto" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1814) and the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1820) is hereby further amended to read as follows

Section 1066 Minimum Salaries Payment All county superintendents assistant county superintendents and supervisors of special education shall be entitled to the following minimum annual salaries

(1) County superintendents in counties having a population of less than forty-five thousand (45,000) [six thousand dollars (\$6000)] eight thousand dollars (\$8000)

(2) County superintendents in counties having a population of forty-five thousand (45,000) and more but less than one hundred fifty thousand (150,000) [six thousand five hundred dollars (\$6500)]

(3) County superintendents in counties having a population of one hundred fifty thousand (150,000) or more [seven thousand dollars (\$7000)] ten thousand dollars (\$10,000)

(4) Assistant county superintendents in all counties [five thousand five hundred dollars (\$5500)] seven thousand five hundred dollars (\$7500)

(5) County supervisors of special education in all counties [five thousand dollars (\$5000)] seven thousand dollars (\$7000)

The foregoing salaries shall be paid by the Commonwealth from appropriations made for this purpose or from the appropriations for the public schools except in the case of a full-time supervisor of special education appointed in any county in which there are fewer than five hundred fifty (550) teachers under the county superintendent either for the school districts under the county superintendent alone or jointly with one or more other school districts in which case the Commonwealth shall pay a fractional part of the minimum salary equal to the number of teachers under the county superintendent divided by five hundred fifty (550) The balance of such minimum salary shall if the services of the supervisor of special education so appointed is shared with one or more districts not under the county superintendent be paid by such district or districts otherwise the same shall be apportioned among and be paid by the several districts under the county superintendent in the manner provided in section one thousand sixty-seven of the act to which this is an amendment

Section 2 Section one thousand seventy-five of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1820) is hereby further amended to read as follows

Section 1075 Salary The board of school directors at any convention electing a district superintendent shall determine the amount of salary to be paid such district superintendent which compensation shall be paid out of the funds of the district

District superintendents shall be entitled to the following minimum annual salaries

(1) [In districts having a population of less than forty-five thousand (45,000) six thousand dollars (\$6000)] District superintendents having less than one hundred (100) teachers under their supervision eight thousand dollars (\$8000)

(2) [In districts having a population of forty-five thousand (45,000) and more but less than one hundred fifty thousand (150,000) six thousand five hundred dollars (\$6500)] District superintendents having one hundred (100) or more but less than three hundred (300) teachers under their supervision nine thousand dollars (\$9000)

(3) [In districts having a population of one hundred fifty thousand (150,000) or more seven thousand dollars (\$7000)] District superintendents having three hundred (300) or more teachers under their supervision ten thousand dollars (\$10,000)

Section 3 Section one thousand one hundred forty-two of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 962) and by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1820) are hereby further amended to read as follows



Section 1142 Minimum Salaries and Increments [Districts First Class] Except as hereinafter otherwise provided all school districts [of the first class] and vocational school districts shall pay all regular and temporary teachers supervisors and principals in the public schools of the district the following minimum salaries and increments

(1) Teachers holding a standard certificate valid for the subjects or grades in which the teacher is giving instruction minimum annual salary two thousand [two] four hundred dollars [(\$2200)] (\$2400) minimum annual service increment two hundred dollars (\$200) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [six (6)] eight (8)

(2) Teachers holding a college certificate valid for the subjects or grades in which the teacher is giving instruction minimum annual salary two thousand [two] four hundred dollars [(\$2200)] (\$2400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [eight (8)] ten (10)

(3) Teachers holding a Master's Degree and who also hold a college certificate valid for the subjects or grades in which the teacher is giving instruction minimum annual salary two thousand four hundred dollars (\$2400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [eight (8)] twelve (12)

(4) Supervisors who devote one-half or more of their time to supervision of instruction holding a standard or college certificate minimum annual salary [two thousand four hundred dollars (\$2400)] three thousand four hundred dollars (\$3400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8)

(5) Supervisors who devote one-half or more of their time to supervision of instruction holding a Master's Degree minimum annual salary [two thousand six hundred dollars (\$2600)] three thousand four hundred dollars (\$3400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [eight (8)] ten (10)

(6) Principals who devote one-half or more of their time to supervision and administration and having less than twenty (20) teachers under their supervision who hold a standard or college certificate minimum annual salary [three thousand dollars (\$3000)] three thousand four hundred dollars (\$3400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [seven (7)] eight (8)

(7) Such principals who hold a Master's Degree minimum annual salary three thousand [two] four hundred dollars [(\$3200)] (\$3400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [seven (7)] ten (10)

(8) Such principals having twenty (20) or more teachers under their supervision but less than forty (40) and who hold a standard or college certificate minimum annual salary three thousand [four] eight hundred dollars [(\$3400)] (\$3800) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [seven (7)] eight (8)

(9) Such principals who hold a Master's Degree minimum annual salary three thousand [six] eight hundred dollars [(\$3600)] (\$3800) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [seven (7)] ten (10)

(10) Such principals having forty (40) or more teachers under their supervision but less than sixty (60) and who hold a standard or college certificate minimum annual salary [three thousand eight hundred dollars (\$3800)] four thousand two hundred dollars (\$4200) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [seven (7)] eight (8)

(11) Such principals who hold a Master's Degree minimum annual salary four thousand two hundred dollars [(\$4000)] (\$4200) minimum annual service incre-

ment two hundred dollars (\$200) minimum number of service increments [seven (7)] ten (10)

(12) Such principals having sixty (60) or more but less than eighty (80) teachers under their supervision and who hold a standard or college certificate minimum annual salary four thousand [two] six hundred dollars [(\$4200)] (\$4600) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [seven (7)] eight (8)

(13) Such principals who hold a Master's Degree minimum salary four thousand [four] six hundred dollars [(\$4400)] (\$4600) minimum annual service increment two hundred dollars (\$200) minimum number of service increments [seven (7)] ten (10)

(14) Such principals having eighty (80) or more teachers under their supervision and who hold a standard or college certificate minimum annual salary five thousand dollars (\$5000) minimum annual service increments two hundred dollars (\$200) minimum number of service increments eight (8)

(15) Such principals who hold a master's degree minimum annual salary five thousand dollars (\$5000) minimum annual service increments two hundred dollars (\$200) minimum number of service increments ten (10)

16 Supervising principals having less than twenty (20) teachers under their supervision and who hold a standard certificate college certificate or Master's Degree minimum annual salary three thousand eight hundred dollars (\$3800) minimum annual service increment two hundred fifty dollars (\$250) minimum number of service increments eight (8) Provided That such supervising principals holding a Master's Degree shall receive thereafter two (2) additional service increments of two hundred dollars (\$200) each

17 Supervising principals having twenty (20) or more teachers under their supervision but less than forty (40) and who hold a standard certificate college certificate or Master's Degree minimum annual salary four thousand two hundred dollars (\$4200) minimum annual service increment two hundred fifty dollars (\$250) minimum number of service increments eight (8) Provided That such supervising principals holding a Master's Degree shall receive thereafter two (2) additional service increments of two hundred dollars (\$200) each

18 Supervising principals having forty (40) or more teachers under their supervision but less than sixty (60) who hold a standard certificate college certificate or Master's Degree minimum annual salary four thousand six hundred dollars (\$4600) minimum annual service increment two hundred fifty dollars (\$250) minimum number of service increments eight (8) Provided That such supervising principals holding a Master's Degree shall receive thereafter two (2) additional service increments of two hundred dollars (\$200) each

19 Supervising principals having sixty (60) or more but less than eighty (80) teachers under their supervision and who hold a standard certificate college certificate or Master's Degree minimum annual salary five thousand dollars (\$5000) minimum annual service increment two hundred fifty dollars (\$250) minimum number of service increments eight (8) Provided That such supervising principals holding a Master's Degree shall receive thereafter two (2) additional service increments of two hundred dollars (\$200) each

(20) Supervising principals having eighty (80) or more teachers under their supervision and who hold a standard certificate or college certificate or Master's Degree minimum annual salary five thousand four hundred dollars (\$5400) minimum annual service increments two hundred fifty dollars (\$250) minimum number of service increments eight (8) provided that such supervising principals holding a Master's Degree shall receive thereafter two (2) additional service increments of two hundred dollars (\$200) each

Section 4 Section one thousand one hundred forty-three of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 962) and by the act approved the twenty-sixth day of May



one thousand nine hundred forty-nine (P. L. 1820) is hereby repealed

Section 5 Section one thousand onehundred fifty-two of said act is hereby amended to read as follows

Section 1152 Compensation in Excess of Schedule Temporary or Emergency Increases The foregoing schedules prescribe a minimum salary in each instance and where an increment is prescribed it is also a minimum It is within the power of the boards of school directors to increase for any person or group of persons included in any schedule the initial salary or the amount of an increment or the number of increments

Nothing contained in this act shall be construed to interfere with or discontinue any salary schedule now in force in any school district provided such schedule shall meet the requirements of this act nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

In addition to the salaries provided for by this act the board of directors of each school district is hereby authorized to grant temporary or emergency increases in salaries to members of its teaching or supervisory staff for any period and to discontinue such increases at the end of the period for which the same were granted any law to the contrary notwithstanding In order to pay the amount of salary hereby provided for the board of school directors of any school district may revise its budget by increasing its appropriation or appropriations for salaries of members of the teaching and supervisory staffs of the school district for any year The funds therefor shall be provided from unexpended balances in existing appropriations from unappropriated revenue if any or from temporary loans Any temporary or emergency increases heretofore granted by any school district and the discontinuance thereof at the end of the period for which granted are hereby ratified confirmed and made valid notwithstanding the fact that the same may have been done without previous authority of law

No school district shall be required to pay any increments provided for hereby to any teacher who is rated unsatisfactory for any part of the probationary period of such teacher

Section 6 Notwithstanding any other provision of the Public School Code of 1949 its amendments and supplements professional employees of all school districts and vocational school districts and temporary professional employees who have satisfactory ratings shall receive for the school year one thousand nine hundred fifty-one one thousand nine hundred fifty-two (1951-1952) an increase in salary in excess of that paid during the school year one thousand nine hundred fifty one thousand nine hundred fifty-one (1950-1951) of not less than two (2) increments as set forth in this act Such sum thereafter shall become a part of the regular salary of said employees and shall be paid together with any increases to which said employees shall be entitled by reason of acquiring a college certificate or Master's Degree the provisions of this section shall not prohibit any board of school directors or board of public education from discontinuing any emergency or temporary increases in salary authorized pursuant to the provisions of section one thousand one hundred fifty-two of the public school code of 1949 at the end of the period for which they were granted

Section 7 Notwithstanding any other provisions of the public school code of 1949 its amendments and supplements the board of school directors or board of education of each school district is hereby authorized for the school year 1951-1952 to make such revision in its budget as may be necessary to meet the salary payments provided in these amendments and if necessary to make temporary loans to provide the additional revenue required

Section 8 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Freed,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,

#### NAYS—1

Propert,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### HOUSE BILL No. 334 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 334, for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 334, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursement by the Commonwealth to school districts and vocational school districts The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections 4 5 and 6 of section two thousand five hundred one and sections two thousand five hundred two and two thousand five hundred three of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1806) are hereby further amended to read as follows

Section 2501 Definitions For the purposes of this article the following terms shall have the following meanings

\* \* \* \* \*

(4) "Minimum Subsidy" shall designate the minimum amount per teaching unit payable by the Commonwealth to any school district or vocational school district under the provisions of this act the minimum subsidy shall be



[eight hundred dollars (\$800)] one thousand dollars (\$1000)

(5) "Maximum Subsidy" shall designate the maximum amount per teaching unit which may be payable by the Commonwealth to any one school district or vocational school district under the provisions of this act. The maximum subsidy shall be for the school year [1948-1949 two thousand four hundred fifty dollars (\$2450) for the school year 1949-1950 three thousand three hundred fifty dollars (\$3350) and for each school year thereafter three thousand four hundred fifty dollars (\$3450)] 1950-1951 three thousand eight hundred fifty dollars (\$3850) for the school year 1951-1952 four thousand dollars (\$4000) for the school year 1952-1953 four thousand three hundred dollars (\$4300) for the school year 1953-1954 four thousand five hundred dollars (\$4500) for the school year 1954-1955 four thousand seven hundred dollars (\$4700) for the school year 1955-1956 four thousand nine hundred dollars (\$4900) for the school year 1956-1957 five thousand one hundred dollars (\$5100) for the school year 1957-1958 five thousand three hundred dollars (\$5300) for the school year 1958-1959 and for each school year thereafter five thousand five hundred dollars (\$5500). Provided That in the event that Federal moneys shall at any time be made available to the Commonwealth for school purposes the Superintendent of Public Instruction may from time to time increase the amount of the applicable maximum subsidy to school districts but not to vocational school districts to an extent necessary to absorb the amount of any allocation of Federal moneys so that "maximum subsidy" as hereinabove limited shall always have reference to payments made out of appropriations of Commonwealth moneys irrespective of any available Federal moneys.

(6) "Standard Reimbursement Fraction" School districts' or vocational school districts' standard reimbursement fraction shall be computed annually in the month of December by the Department of Public Instruction.

[In the case of a school district its standard reimbursement fraction shall be computed for the school year 1948-1949 by subtracting from two thousand four hundred fifty dollars (\$2450) an amount determined by multiplying the school district's assessed valuation per district teaching unit by six-one thousandths (.006) and dividing the difference so obtained by two thousand four hundred fifty dollars (\$2450) for the school year 1940-1950 by subtracting from three thousand three hundred fifty dollars (\$3350) an amount determined by multiplying the school districts valuation per district teaching unit as determined by the State Tax Equalization Board by four-one thousandths (.004) and dividing the difference so obtained by three thousand three hundred fifty dollars (\$3350) and for every school year thereafter by subtracting from three thousand four hundred fifty (\$3450) an amount determined by multiplying the school district's valuation per district teaching unit as determined by the State Tax Equalization Board by four-one thousandths (.004) and dividing the difference so obtained by three thousand four hundred fifty dollars (\$3450)]

A school district's assessed valuation to be used for purposes of computing the standard reimbursement fraction for the school year 1948-1949 shall be the assessed valuation of the district's taxable real property as determined for the preceding year for county tax purposes for the school year 1949-1950 and for every school year thereafter each district's valuation to be used for purposes of computing its standard reimbursement fraction shall be the valuation placed upon its taxable real property by the State Tax Equalization Board.

[In the case of a vocational school district its standard reimbursement fraction shall be computed for the school year 1948-1949 by subtracting from two thousand four hundred fifty dollars (\$2450) an amount determined by multiplying the assessed valuation per district teaching unit by three one-thousandths (.003) and dividing the difference so obtained by two thousand four hundred fifty dollars (\$2450) for the school year 1949-1950 by subtracting from three thousand three hundred fifty dollars (\$3350) an amount determined by multiplying the

school district's valuation per district teaching unit as determined by the State Tax Equalization Board by two one-thousandths (.002) and dividing the difference so obtained by three thousand three hundred fifty dollars (\$3350) and for every school year thereafter by subtracting from three thousand four hundred fifty dollars (\$3450) an amount determined by multiplying the school district's valuation per district teaching unit as determined by the State Tax Equalization Board by two one-thousandths (.002) and dividing the difference so obtained by three thousand four hundred fifty dollars (\$3450)]

In the case of a school district its standard reimbursement fraction shall be computed for the school year 1950-1951 by subtracting from three thousand eight hundred fifty dollars (\$3850) an amount determined by multiplying the school district's valuation per district teaching unit by four-one thousandths (.004) and dividing the difference so obtained by three thousand eight hundred fifty dollars (\$3850) for the school year 1951-1952 by subtracting from four thousand dollars (\$4000) an amount determined by multiplying the school district's valuation per district teaching unit by four-one thousandths (.004) and dividing the difference so obtained by four thousand dollars (\$4000) for the school year 1952-1953 by subtracting from four thousand three hundred dollars (\$4300) an amount determined by multiplying the school district's valuation per district teaching unit by four-one thousandths (.004) and dividing the difference so obtained by four thousand three hundred dollars (\$4300) for the school year 1953-54 by subtracting from four thousand five hundred dollars (\$4500) an amount determined by multiplying the school district's valuation per district teaching unit by four-one thousandths (.004) and dividing the difference so obtained by four thousand five hundred dollars (\$4500) for the school year 1954-1955 by subtracting from four thousand seven hundred dollars (\$4700) an amount determined by multiplying the school district's valuation per district teaching unit by four-one thousandths (.004) and dividing the difference so obtained by four thousand seven hundred dollars (\$4700) for the school year 1955-1956 by subtracting from four thousand nine hundred dollars (\$4900) an amount determined by multiplying the school district's valuation per district teaching unit by four-one thousandths (.004) and dividing the difference so obtained by four thousand nine hundred dollars (\$4900) for the school year 1956-1957 by subtracting from five thousand one hundred dollars (\$5100) an amount determined by multiplying the school district's valuation per district teaching unit by four-one thousandths (.004) and dividing the difference so obtained by five thousand one hundred dollars (\$5100) for the school year 1957-1958 by subtracting from five thousand three hundred dollars (\$5300) an amount determined by multiplying the school district's valuation per teaching unit by four-one thousandths (.004) and dividing the difference so obtained by five thousand three hundred dollars (\$5300) for the school year 1958-1959 and for each school year thereafter by subtracting from five thousand five hundred dollars (\$5500) an amount determined by multiplying the school district's valuation per district teaching unit by four-one thousandth (.004) and dividing the difference so obtained by five thousand five hundred dollars (\$5500)

In the case of a vocational school district its standard reimbursement fraction shall be computed for the school year 1950-1951 by subtracting from three thousand eight hundred fifty dollars (\$3850) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by three thousand eight hundred fifty dollars (\$3850) for the school year 1951-1952 by subtracting from four thousand dollars (\$4000) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by four thousand dollars (\$4000) for the school year 1952-1953 by subtracting from four thousand three hundred dollars (\$4300) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference



so obtained by four thousand three hundred dollars (\$4300) for the school year 1953-1954 by subtracting from four thousand five hundred dollars (\$4500) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by four thousand five hundred dollars (\$4500) for the school year 1954-1955 by subtracting from four thousand seven hundred dollars (\$4700) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by four thousand seven hundred dollars (\$4700) for the school year 1955-1956 by subtracting from four thousand nine hundred dollars (\$4900) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by four thousand nine hundred dollars (\$4900) for the school year 1956-1957 by subtracting from five thousand one hundred dollars (\$5100) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by five thousand one hundred dollars (\$5100) for the school year 1957-1958 by subtracting from five thousand three hundred dollars (\$5300) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by five thousand three hundred dollars (\$5300) for the school year 1958-1959 and for each school year thereafter by subtracting from five thousand five hundred dollars (\$5500) an amount determined by multiplying the valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by five thousand five hundred dollars (\$5500).

A school district's or vocational school district's valuation to be used for purposes of computing the standard reimbursement fraction shall be the valuation placed upon its taxable real property by the State Tax Equalization Board.

A school district's or vocational school district's number of district teaching units for purposes of determination of the standard reimbursement fraction shall be obtained as follows (i) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school during the preceding school term (ii) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school during the preceding school term and (iii) add the quotients obtained under (i) and (ii) above except when the pupil-teacher ratio exceeds thirty-three (33) in which case the sum obtained under (i) and (ii) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the district. No school district or vocational school district shall be credited with less than one teaching unit or be assigned a reimbursement fraction lower in value than the minimum subsidy divided by the maximum subsidy. All one-room schools operated in accordance with the provisions of this act shall if their operation is approved by the State Council of Education be credited with at least one teaching unit. The State Council of Education shall withhold its approval of any one-room one teacher school unless (i) topography distance or condition of roads are such as to make transportation of pupils impractical or (ii) it is impossible to accommodate pupils in existing graded schools in the district or other districts or (iii) the district is financially unable to construct a consolidated school.

Section 2502 Payments on Account of Instruction [Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1948-1949 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by two thousand four hundred fifty dollars (\$2450) and by the district's standard reimbursement fraction].

Every school district and every vocational school district shall be paid by the Commonwealth [for the school

year 1949-1950] on account of the instruction of all pupils in average daily membership in the district's public schools [and] joint elementary schools and joint high schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools [and] joint elementary schools [by three thousand three hundred fifty dollars (\$3350) and] and joint high schools by the district's standard reimbursement fraction and for the school year 1950-1951 by three thousand eight hundred fifty dollars (\$3850) for the school year 1951-1952 by four thousand dollars (\$4000) for the school year 1952-1953 by four thousand three hundred dollars (\$4300) for the school year 1953-1954 by four thousand five hundred dollars (\$4500) for the school year 1954-1955 by four thousand seven hundred dollars (\$4700) for the school year 1955-1956 by four thousand nine hundred dollars (\$4900) for the school year 1956-1957 by five thousand one hundred dollars (\$5100) for the school year 1957-1958 by five thousand three hundred dollars (\$5300) for the school year 1958-1959 and for each school year thereafter by five thousand five hundred dollars (\$5500). Provided That the amount of payment to be made by the Commonwealth to any school district during the school year [1950-1951 for the school year 1949-1950] 1951-1952 and 1952-1953 for the school years 1950-1951 and 1951-1952 on account of the instruction of pupils under the provisions of this section shall not be less than the amount paid to the district during the school year 1949-1950 on account of the instruction of pupils. Provided further that if the number of teaching units in any school district for the school year 1950-1951 or 1951-1952 is less than the number of teaching units for the school year 1948-1949 the payment by the Commonwealth shall be reduced proportionately.

[Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1950-1951 and for every school year thereafter on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools [and joint elementary schools] by three thousand four hundred fifty dollars (\$3450) and by the district's standard reimbursement fraction].

In addition to the payments hereinbefore specified the following supplemental payments shall be made to the district of residence on account of pupils enrolled in elementary schools or high schools operated by joint boards of which the district of residence is a member and pupils enrolled in school operated by union or merged districts.

(1) In the case of joint elementary schools five hundred dollars (\$500) per teaching unit multiplied by the standard reimbursement fraction of the district of residence.

(2) In the case of joint high schools five hundred dollars (\$500) per teaching unit multiplied by the standard reimbursement fraction of the district of residence.

(3) In the case of elementary schools operated by union or merged districts eight hundred dollars (\$800) per teaching unit multiplied by the district's standard reimbursement fraction.

(4) In the case of high schools operated by union or merged districts eight hundred dollars (\$800) per teaching unit multiplied by the district's standard reimbursement fraction.

In all cases the supplemental payments specified in the foregoing shall be made only for organizations approved by the Department of Public Instruction.

Notwithstanding the foregoing provisions of this section when because of sparsity of population road or climatic conditions or lack of other available high school facilities the State Council of Education has approved the continued operation of a small high school the district shall receive an amount based on a number of teaching units equal to the number of teachers approved by the State Council of Education as being required to provide a satisfactory educational program in such school provided that



the number of teachers employed is not less than the number approved

For no year shall any school district or vocational school district receive less than the minimum subsidy per teaching unit

Section 2503 Payments on account of tuition (a) Each school district regardless of classification sending pupils to another school district or vocational school district or to a joint [high] school approved by the Department of Public Instruction shall be paid by the Commonwealth for every school year on account of tuition an amount to be determined by multiplying the sum of "overhead cost per pupil" and "instruction cost per elementary pupil" or "instruction cost per high school pupil" as the case may be as defined in section two thousand five hundred sixty-one of this act or in the case of district pupils attending a school not located in this Commonwealth on the basis of a reasonable tuition charge per pupil to be determined by the Superintendent of Public Instruction (1) by the number of district pupils [except district pupils attending a high school operated by a joint board of which the district of residence is a member] sent to schools of other districts or to [a joint school] joint schools and (II) by the district's standard reimbursement fraction and (III) for tuition up to and including the school year 1948-1949 by seventy-five-one-thousands (.75) and thereafter by eighty-five-one-thousandths (.85) and (IV) subtracting from the amount so obtained the per pupil state appropriation paid to the district where the pupil attends school multiplied by the number of pupils

[(b) Each school district regardless of classification which is a member of a joint board which operates a joint high school sending pupils to such joint high school approved by the Department of Public Instruction shall be paid by the Commonwealth for the school year 1948-1949 and for every school year thereafter on account of the instruction of such pupils an amount to be determined by multiplying the sum of "overhead cost per pupil" and "instruction cost per high school pupil" as defined in section two thousand five hundred sixty-one of this act (I) by the number of district pupils sent to such joint high school and (II) by the district's standard reimbursement fraction]

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Freed,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechar,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,

#### NAYS—1

Proport,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### SENATE BILL No. 884 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar Senate Bill No. 884, for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and prescribing penalties" by increasing the maximum amounts of payments by the State for registered and unregistered cattle

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 885 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar Senate Bill No. 885, for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



# HOUSE BILL No. 1356 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 1356, for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1356, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 940), entitled "An act relating to boarding houses for children; providing for the licensing and inspection thereof; and the adoption of rules and regulations for the maintenance, operation and conduct thereof, by the Department of Welfare; defining offenses; and prescribing penalties," by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 15, by inserting after the word "Commonwealth" the following:

(7) or any place conducted or supervised by any bona fide, recognized religious organization, religious order or church except those which receive for care children whose maintenance is provided from tax funds.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1356, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

# HOUSE BILL No. 1357 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 1357, for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1357, entitled:

An Act to amend the act approved the fourteenth day of April, one thousand nine hundred twenty-five (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation and conduct thereof; by the Department of Welfare; and fixing penalties," by redefining "boarding houses for infants"; eliminating license fees, providing for an advisory committee with which the department shall confer in adopting rules and regulations on increasing penalties."

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, line 9, by inserting after the word "purpose" the following: "other than one conducted or supervised by any bona fide, recognized religious organization, religious order or church except those which receive for care children whose maintenance is provided from tax funds."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1357, on second reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

## REPORTS FROM COMMITTEES

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Highways, reported as committed, Senate Bill No. 881, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporation towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County.

He also, from the Committee on Highways reported as committed, Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and mak-



ing an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.

Mr. KESSLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER on behalf of Mr. PEELOR, from the Committee on Elections, reported as committed, Senate Bill No. 892, entitled:

An Act to add subsection (d) to section 530 of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards, of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by requiring that the Flag of the United States be flown or displayed at polling places on election days.

#### REMAINDER OF CALENDAR

FOR MONDAY, DECEMBER 3, 1951,

#### OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that all bills on concurrence in House amendments recalled from the Governor, bill on concurrence in House amendments, Report of a Committee of Conference, all the remaining bills on the Third Reading Calendar and all the bills remaining on the Second Reading Calendar, go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

The bills were as follows:

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings.

House Bill No. 1293, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include certain vehicles of the tractor type authorizing the Secretary of Revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines.

House Bill No. 1294, entitled:

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the operators of tractors shall be licensed under The Vehicle Code and further providing for the equipment of tractors

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Senate Bill No. 615, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross



weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

#### REPORT OF A COMMITTEE OF CONFERENCE

House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-eight hours the work week of police officers except in emergencies

#### THIRD READING CALENDAR

Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mother's assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

House Bill No. 967, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

House Bill No. 1116, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

House Bill No. 1428, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the Violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality

strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act

House Bill No. 1429, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said laws and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices

House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress

House Bill No. 1546, entitled:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors

House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of



advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" increasing the fees charged by the Pennsylvania Securities Commission

House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection for general additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations

House Bill No. 1567, entitled:

An Act to amend subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the law relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

House Bill No. 1581, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use.

House Bill No. 1585, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highways and bridges projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of High-

ways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority.

House Bill No. 1587, entitled:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 327) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improved equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for the said Authority and providing for the payments of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority land of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority.

House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulate the issuance of bonds by said Authority and providing for the payments of such bonds and the right of the holder thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation" by further providing for examination of the books and accounts of the Authority.

House Bill No. 1607, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption of said gases by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecution for violation of this act by summary proceeding and prescribing the penalty therefor.



House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for composition of the return board.

House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties.

House Bill No. 1648, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election.

House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened.

House Bill No. 1671, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the

second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads.

House Bill No. 1680, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

## SECOND READING CALENDAR

House Bill No. 623, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed.

Senate Bill No. 863, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the disposition of fines.

Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State.



Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth.

Senate Bill No. 833, entitled:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

House Bill No. 1246, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties.

House Bill No. 1441, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

House Bill No. 1442, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability

and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workman's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

House Bill No. 1664, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

## BILL INTRODUCED AND REFERRED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART read in place and presented to the Chair Senate Bill No. 896, entitled:

An Act to confer jurisdiction in habeas corpus upon the several courts of quarter sessions of this Commonwealth and upon the judges thereof.

Which was committed to the Committee on Judiciary General.

## PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his question of personal privilege.

Mr. DENT. Mr. President, among the duties that I try to perform in the Senate and as a Member of the Senate, I am a Member of the General State Authority. As a Member of the General State Authority, I am called upon many times to act upon various projects that are designed to make Pennsylvania a better place in which to live.

Mr. President, out in Westmoreland County we have a park known as Bushey Run Battlefield Memorial Park. The guiding light behind this park was the late Mark Bomberger, then Editor of the Jeannette News Dispatch. He has written two books and many articles upon the Battlefield, and there are many historians who believe



that this was one of the most decisive and one of the most important battles of the Colonial Days. There are those who hold forth that this particular battle changed the entire course of empires. Those of us who live in Westmoreland County are very proud of the handy work created there by Mark Bomberger and those who served with him on the Battlefield Commission.

Mr. President, for many years we have tried to purchase a piece of ground, approximately thirty acres in area, upon which are buried the fifty-five soldiers of Colonel Boquet's command, so marked by Colonel Boquet upon his map which he made the day of the battle. We have tried to purchase this land through the years. At one time I remember we had an option to purchase it for about \$12,000. That was a good many years ago.

Mr. President, the reason I am on my feet today is because a story appeared this morning in the Philadelphia Inquirer, written by that well-known political canvasser, Joe Miller. Joe calls attention to the story by headlining the fact that something like \$1,000 an acre was to be paid for these thirty acres, and the story carries the implication that this is an exorbitant sum. We have a lot of land in Westmoreland County that you could not buy for a thousand dollars an acre, and we have some that you could buy for a lot less. I imagine that holds true everywhere in the State of Pennsylvania, but what I want to call attention to in this Senate is this. Every now and then a man has to stand up and call a halt to some things that go on. I do not think that Joe intentionally wanted to leave the implication that is carried in the story and is read into it by some, but for me I want to say this to the Members of the Senate.

Mr. President, I have taken all the abuse I am going to take for one year. I have had enough for this year, and they will have to start abusing me after January 1. I do not intend to take any more this year, and I do not like the implication that I have fought for this purchase because I am interested in the land being sold. I am only interested like any other citizen of Westmoreland County, and like any other citizen of the State ought to be interested, but to prove that this is not an exorbitant sum for a piece of land that is valuable to the citizens for purposes of public recreation and for memorial purposes, as a Member of the General State Authority I remember a purchase that was made of 61.71 acres of land down in Montgomery County by the General State Authority, or rather through the Department of Forests and Waters, called the Andora Nurseries, Incorporated, and that particular land was purchased for a sum of \$145,000, or \$2400 an acre.

Now, Mr. President, it all depends. Land values are the same as personal values. There are some persons who are not worth a dime; there are other persons that you envy because of their stature, because of their character, because of their abilities, and so it is with land. Some land is worth less and some land is very valuable. The fact that fifty-five soldiers are buried there uncommemorated, unmarked, these graves are unmarked, and yet they are known to be those who preserved and, I believe, opened up this great West of ours to the colonization and the settlement by the American Colonists which gave this great Country of ours a gateway to the west, ought to be commemorated, and if it is \$30,000, it is \$30,000. I do not

know what the final viewers' price will be upon that land, but whatever it is I do not think we are making a mistake in purchasing it.

Mr. President, the only reason that I am interested in it is because of the long fight to acquire this particular piece of ground, and anybody knows that land that was worth \$10,000 fifteen years ago could easily be worth \$30,000 to \$40,000 today. I do not think the State of Pennsylvania would be using bad judgment in purchasing this ground out in Westmoreland County.

Mr. President, they said there is no water there. I don't know whether Mr. Miller knows this or not, but Westmoreland County has a municipal authority, spending something like \$25,000,000, and I say to the people of Pennsylvania and to the Members of the Senate, we will soon have such a coverage of water lines in Westmoreland County that you will not be able to sink a pick without hitting a water line. We are going to have the greatest water system in the entire State of Pennsylvania and second only to one in the entire Nation. We are proud of Westmoreland County's advancement in this field. We think that Westmoreland is one of the greatest places in which industry can settle, and we know it to be the best place in which people can live. We think we ought to expand Westmoreland County's recreational facilities. I, for one, say to the people here today, whether it is \$1,000, \$500 or \$100 an acre, it is not exorbitant for land in Westmoreland County, because land in Westmoreland County is worth a whole lot of money.

#### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 881, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of May, one thousand eight hundred seventy-four (P. L. 159), entitled "An act relating to compulsory arbitrations," by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration," by providing, by rule of court, for the arbitration of certain suits at issue and prescribing the procedure; the appointment and compensation of arbitration and the payment of fees and costs in such cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 892, entitled:

An Act to add subsection (d) to section 530 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by requiring that the Flag of the United States be flown or displayed at polling places on election days.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, December 4, 1951, at 4 o'clock, p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.  
The motion was agreed to.

The Senate adjourned at 5:23 o'clock, p. m., Eastern Standard Time, until Tuesday, December 4, 1951, at 4 o'clock, p. m., Eastern Standard Time.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, DECEMBER 4, 1951.

No. 95.

## SENATE

TUESDAY, December 4, 1951.

The Senate met at 4 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. Doctor Stephen happens to be the Pastor of The Market Square Presbyterian Church, of which I have been a member for over fifty years. I feel awfully good that Doctor Stephens, our Presbyterian Minister, is going to give our prayer today. I hope he helps all of us.

## PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D. D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray. Eternal God, Who keepeth the stars in their courses and upholdeth all things by Thy power, we praise Thee that Thou art also our Father and the Invisible Presence close beside us.

Help us to remember that Thou are here with us in the Senate Chamber, "closer to us than breathing, nearer than hands and feet;" that nothing can shut Thee out and that nothing can be hid from Thee. Help us then to live and do our work in the knowledge that Thine eye is always upon us, and that Thou dost always have the final vote, always.

Help us to remember too, that Thou art here to help us, that Thou hast available for us great reservoirs of power and peace. When we grow tense and edgy, help us to relax and know Thy peace. When we grow tired and weary, help us to rest in the Lord, wait patiently for Him. When we grow impatient and discouraged, remind us that Thou art working with us in all good things. When we grow hard and cynical, make us remember that Thou dost believe in us and art trusting us, and when we have done right, when we have done the honest, the kind, the unselfish, the courageous, the big thing, help us to feel so good inside that we will never want to do anything else. Amen and Amen.

## JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and

Mr. HARE, further reading was dispensed with, and the Journal was approved.

## LEAVE OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. DIEHM, because of illness.

He also asked and obtained leave of absence for Mr. SCARLETT, because of illness.

## NOMINATIONS BY THE GOVERNOR

### REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

## JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 4, 1951  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Colgan, R. D. No. 1, Cherry Tree, Indiana County, for appointment as Justice of the Peace in and for the Township of Montgomery, Indiana County, until the first Monday of January, 1954, vice Joe Williams, resigned.

JOHN S. FINE

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

He also, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. PRESIDENT, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 4, 1951.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, December 4, 1951



To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### DAUPHIN COUNTY

Mrs. Ethel D. Ketner, Harrisburg.

#### DELAWARE COUNTY

Fred Yoos, Jr., Upper Darby Twp., Drexel Hill.

#### ERIE COUNTY

Mrs. Elsie M. Mulcahy, Millcreek Twp., Erie.

#### LUZERNE COUNTY

Harry Minkoff, Luzerne.

#### NORTHUMBERLAND COUNTY

Jno. M. Bain, Northumberland.

#### PHILADELPHIA COUNTY

Arthur Formisano, 4635 Spruce Street.

Jesse M. Little, 22 N. Farson Street.

Mrs. May Oldell, 12 S. 12th Street.

Miss Catherine M. Ross, SKF Industries, Inc., Front St. & Erie Avenue.

#### WASHINGTON COUNTY

E. T. Filipponi, Washington.

JOHN S. FINE

A motion was made by Mr. WATSON and Mr. HARE, That the Senate do advise and consent to said nominations.

On the Question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Toole,
Barrett,	Kephart,	Neff,	Wade,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Taylor,
Freud,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum the gentleman from Cumberland, Mr. Wade, to preside.

The PRESIDING OFFICER (George N. Wade) in the Chair.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor, which was laid on the table:

#### NOMINATION BY THE GOVERNOR

ALDERMAN, SECOND WARD, FARRELL, MERCER COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, November 28, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Saverio Grande, 1301 Bond Street, Farrell, Mercer County, for appointment of Alderman in and for the Second Ward of the City of Farrell, Mercer County, until the first Monday of January 1954, vice William E. Ward, resigned.

JOHN S. FINE.

#### REPORTS FROM COMMITTEES

Mr. STEVENSON, from the Committee on Local Government, reported as amended, Senate Bill No. 895, entitled:

An Act to further amend Section 652 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the payment of expenses to members of recreation boards in counties of the third class.

Mr. PROPERT, from the Committee on Local Government, reported as committed, Senate Bill No. 350, entitled:

An Act to further amend clause two of section 1709 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

Mr. ROBINSON, from the Committee on Local Government, reported as committed, Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by permitting employes of school districts to serve as councilmen.

#### PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. In 1949 the Republican party through the legislature gave the people of Philadelphia the right to frame a Home Rule Charter, and at a special election



this year the people adopted such a Charter to go into effect the first Monday in January of 1952.

In 1949, and again this year, this legislature passed a resolution, which I introduced with the backing of the Republican party, to amend the Constitution so that the governments of the City and County of Philadelphia could be consolidated. The adoption of this amendment at the last election removed constitutional barriers to such consolidation.

Now we are ready to complete the final step—which is the actual consolidation of the City and County governments. This bill, which I now introduce, is the consolidation bill, and will carry out the mandate of the people in adopting the consolidation amendment.

In it Philadelphia is given the maximum of Home Rule, the maximum of self-government. Former county functions are integrated under the new city charter so that there will be fewer elected officers, a more understandable ballot and a more economic and more efficient government for the people of Philadelphia, immediately and without delay, but subject to change by amendment to the Home Rule Charter.

To have placed the burden of integration under the Home Rule Charter, as suggested by some sources, would have occasioned a delay in actual consolidation until at least the next election and would have perpetuated certain officers which are no longer necessary. It would have made consolidation vastly more difficult, because of the problem of integrating these officers into the new charter.

To have placed the burden on City Council would have imposed a burden it was not set up to carry out—it should have enough to do to legislate for the City under the new charter without taking on this added burden. But above this, to place such a burden on City Council would be an unlawful delegation of legislative power.

Unfortunately, if we are going to consolidate the City and County governments now, if we are going to have a more economic and efficient government without delay, certain unnecessary former County officers will have to be dropped. If the fact that they were just elected in the past election is to stand in our way, then consolidation must be postponed for four years until these men take office and serve out their terms. The interests of good government for all the people transcends the interests of these individuals.

This is especially so in view of the fact that they ran for office knowing that their offices might be abolished in streamlining and consolidating the City and County governments upon the adoption of the City-County consolidation amendment. Furthermore, they can be placed in positions with commensurate duties and salaries by the Mayor, if he so desires. But it would be a transgression of the principles of Home Rule for this Legislature to require the Mayor to appoint them or any others except those required by the Constitution, such as the Coroner.

Officers, whose position and duties will continue the same after the passage of this bill, such as the Sheriff, will be retained in office by this law.

I am authorized to say that conferences will continue between the parties now holding them with respect to this problem and it may be that changes will be made in this bill. But in view of the shortness of the time, it is necessary that some bill be started through immediately.

Therefore, Mr. President, I read in place and present to the Chair the Consolidation Bill.

### BILL INTRODUCED AND REFERRED

Mr. KEPHART read in his place and presented to the Chair, Senate Bill No. 897, entitled:

An Act to implement Article fourteen, section eight of the Constitution of Pennsylvania; providing for the election or appointment, compensation, terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia; abolishing other such former County officers, boards, and commissions and distributing their former duties; specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter, and upon what conditions; exempting certain officers and employes from the civil service provisions of the Philadelphia Home Rule Charter; imposing additional duties upon the Governor of the Commonwealth and upon the judges of the Courts of Common Pleas, the Judges of the Orphans' Court, the Prothonotary, the Board of Registration Commissioners, and certain City officers, departments, boards and commissions of Philadelphia; specifying how the number, qualifications and compensation of employes who were not heretofore City employes, but who were paid out of the City treasury, shall be determined; and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

Which was committed to the Committee on Local Government.

### INTERROGATION

Mr. ROSENFELD. Mr. President, will the Chair permit me to ask Senator Kephart whether he will permit himself to be interrogated?

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. ROSENFELD. Mr. President, I have not had an opportunity to read the bill, but I would like Senator Kephart to tell me whether this bill generally agrees with the newspaper report—I do not know whether he has seen it—which is in today's Evening Bulletin.

Mr. KEPHART. Mr. President, I have not seen today's Evening Bulletin, so I could not answer that question.

Mr. ROSENFELD. Senator Kephart, does your bill contain a provision that freezes in office the present county employees, and if he wants that to be clarified, does it require qualifying tests based on the individual's record of service, his experience, his familiarity with the work and his ability to perform the prescribed duties?

Mr. KEPHART. Mr. President, it provides that in connection with the transfer of county employees to respective city departments, that where the department is transferred the employees go along with it and that they are given qualifying tests to determine whether they shall continue to perform their duties or not, which qualifying tests are given by the Personnel Director or approved by the Civil Service Commission. If they pass the qualifying tests, they then are under Civil Service, along with the other city employees.

Mr. ROSENFELD. Thank you, Senator Kephart.

### PERMISSION TO ADDRESS SENATE

Mr. ROSENFELD asked and obtained unanimous consent to address the Senate.



Mr. ROSENFELD. Mr. President and Members of the Senate, we are now faced with dealing with a question whose history goes back thirty years. In the Legislature of 1919, I believe, and again in 1921, a constitutional amendment was provided for giving cities, if they so desired, the right to local self-government. That amendment was passed by the people of this Commonwealth in 1922. From 1922 until recent times, efforts were made to give the citizens of the city of Philadelphia local self-government. Some years back it was determined by those people who were interested in it, and those groups that were interested in it, that they could not depend on a party to get them that local self-government. The result was that these groups associated together in the city of Philadelphia in order to accomplish this purpose, and the purpose was to obtain broad local self-government for the city of Philadelphia.

Mr. President, as a result, finally after a great many years of working, disheartening defeats caused by political manipulation, the local Republican organization in Philadelphia was finally forced to introduce and pass a measure which would guarantee to the citizens of the city of Philadelphia local self-government. Not only did this program go to the municipal functions which existed and which were within the confines of the operation of the City of Philadelphia, but the plan envisioned—

Mr. WALKER. Mr. President, will the gentleman yield for a question? May I ask the gentleman if it is his purpose to debate the bill?

Mr. ROSENFELD. Mr. President, my purpose is not to debate the bill, and I will keep my remarks as short as possible.

Mr. WALKER. That will be appreciated, but do not debate the bill which has just been introduced.

The PRESIDING OFFICER. The gentleman may proceed.

Mr. ROSENFELD. Mr. President, part of that program was a city-county consolidation for Philadelphia, with the right of local self-government by the city officials of the city of Philadelphia, and it was on that basis that the Home Rule Act was passed. It was on that basis that the Mayor of the city of Philadelphia appointed a Charter Commission, a bipartisan Charter Commission, made up not only of Republicans and Democrats, but made up of people representing those groups and organizations which had for many years been interested in this work. The members of that Commission worked hard and long, and notwithstanding years of proposals for new city charters, that Commission worked for eighteen months until it came out with something which was acceptable to it, and which it thought would be acceptable to the citizens of Philadelphia. It envisioned also the passage of a city-county consolidation amendment, and made provisions for it because this whole program was tied up in local self-government.

Now, Mr. President, we see within thirty days after the passage of the city-county consolidation amendment, which was envisioned by the drafters of the new City Charter and which was envisioned by the citizens of the city of Philadelphia, keeping in mind that it took eighteen months to prepare a new City Charter, that we are faced with a proposition which will take away from the citizens of the city of Philadelphia the right to that local self-government, because the introduction of this bill and the passage of this bill by the Legislature, and its signing

by the Governor, will mean that any subsequent Legislature can change that if they want to. I am not saying that because I like to say it, and I am not saying it because I happen to be of a different political persuasion than the gentleman who introduced this bill. I am saying it because the group who are interested in this whole program in the city of Philadelphia decided that that is not what they wanted, that that is no local self-government.

Mr. President, I see in the provision with regard to Civil Service and this job freeze, on behalf of an organization that has dragged the city down to its present level, on behalf of an organization who has run the city into such a ground that it has been forced to impose a wage tax on citizens who do not even live in the city of Philadelphia, I see in that the fine hand of politics, I see in that the fine hand of gutter politics. I want to put the Senate on notice now—I am making no threats, and I am making no warnings. We have enough important work to do without that.

Mr. President, I have been here for eleven months this Session, and I have heard many bills read, none at length. I have heard some fine debates, fortunately most of them have been very short, but I am saying now that if this piece of legislation, with its implications, rears what I consider its ugly head, I will take this floor, much as I dislike to do it, and will listen to the reading of every bill, and much as I dislike to do it, will debate this proposition at length, at great length, at very great length. I am privileged to say that not only I will participate, but my five colleagues from the city of Philadelphia will participate, and at least the additional fifteen colleagues of mine on this side of the house.

Gentlemen, I hope it will not be necessary, but I feel it is a duty which I owe not only to myself, not only to the groups who have worked so diligently and hard, and who see in this effort the loss of everything they have worked for, but for the citizens of the city of Philadelphia and the Commonwealth.

#### PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. Mr. President, I would just like to say to the gentleman that I am very happy that he is putting not only himself, but also his five colleagues from Philadelphia and also the whole of the Democratic Members of the Senate on record as being against the city-county consolidation of Philadelphia and in favor of delaying the will of the people. He wants to freeze the situation the way it is for four more years, rather than have the streamlining done now.

Mr. ROSENFELD. Mr. President—

Mr. WALKER. Now, Mr. President, I do not want to object to any further remarks, but may I suggest, in all due respect to all of our colleagues from Philadelphia, that we are perfectly willing to listen to the debate on this bill when it is before the Senate for action, even though it is debated a long time, a very long time or a very, very long time, as suggested by the gentleman from Philadelphia, but please let us not have the debate at this point.

Mr. ROSENFELD. Mr. President, may I suggest to the Majority Leader that I will take thirty seconds and will not rise again on this subject.



Mr. WALKER. Mr. President, I suggest you confine the other gentlemen from Philadelphia to that.

The PRESIDING OFFICER. I am sorry, but the Senator from Philadelphia has been recognized.

Mr. WALKER. Mr. President, then I object to any further remarks under the question of unanimous consent.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, objects to any further debate on the bill which has just been introduced.

Mr. ROSENFELD. Mr. President, I assume I may proceed. Senator Kephart stated that—

#### POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, I objected to any further remarks under the heading of unanimous consent, and I ask that the Chair rule on my request.

The PRESIDING OFFICER. The Chair has been advised that objection has been raised to the debate on the bill which has just been introduced. If the gentleman from Philadelphia, Mr. Rosenfeld, wants to proceed with other matters, it would be in order.

Mr. ROSENFELD. Mr. President, if the Majority Leader does not want me to give the Senate the benefit of this wonderful remark I was going to make, I have to accede to the ruling of the Chair.

Mr. STIEFEL. Mr. President—

The PRESIDING OFFICER. The Chair recognizes the gentleman from Schuylkill, Mr. Wagner.

#### BILLS INTRODUCED AND REFERRED

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 898, entitled

An Act to amend Section 322 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further defining eligibility for the office of school director.

Which was committed to the Committee on Education.

Messrs. WAGNER and WADE read in place and presented to the Chair Senate Bill No. 899, entitled

An Act to add Section 516.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing attendance of school directors at meetings of educational or financial advantage to the district; and providing for the payment of their expenses.

Which was committed to the Committee on Education.

Messrs. HARE and WOOD read in place and presented to the Chair Senate Bill No. 900, entitled

An Act to further amend clause (d) of Section 404 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies

with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further providing for determination of the compensation to be paid.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 901, entitled

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by changing the formula for computing amount of benefits; and revising the formula for determining financial responsibility.

Which was committed to the Committee on Labor and Industry.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 902, entitled

An Act making an appropriation to the Department of Property and Supplies for payment of the costs of defraying the Commonwealth's share of expenses to be incurred for furnishing certain utility services to State institutions within the Department of Welfare.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 903, entitled

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expense and charges in connection with capital improvements to the Pennsylvania Training School at Morgantown.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 904, entitled

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons, designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards



of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Board of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by authorizing the posting of lists containing the names, addresses and amounts of general assistance granted to all persons receiving general assistance.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 905, entitled

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

Which was committed to the Committee on Appropriations.

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I got up before, after Senator Rosenfeld completed his remarks, in a desire to pay you a tribute but you just overlooked me. Now, I want to take the opportunity and do it now.

Mr. President, I am now going to talk about the Kephart opus at the present moment.

The PRESIDING OFFICER. The Chair apologizes to the gentleman from Philadelphia, Senator Stiefel.

Mr. STIEFEL. Now, Mr. President, here was an opus presented by Senator Kephart, from Philadelphia, and you referred it to the Committee on Local Government. I just got up to pay you a tribute for this referral, because I feel that the membership of this committee—and I am not casting aspersions on other committees of the Senate—that this membership of the Committee on Local Government is so circumspect, so cautious and so thorough that I am sure in their deliberations about this Kephart ripper bill they may even put zippers in the rippers, you see, and maybe correct the situation which Senator Kephart wants to create in Philadelphia.

Therefore, Mr. President, I have confidence that in the Committee on Local Government they will delve into this problem, and be very careful before reporting this bill to the floor of the Senate.

#### BILLS INTRODUCED AND REFERRED

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 906, entitled

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing

for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by further prescribing purposes for which authorities may be incorporated.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 907, entitled

A Supplement to the act, approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations," by granting to every corporation heretofore or hereafter incorporated for the purpose of furnishing certain surface, under-surface and sewage drainage, the power to appropriate private property, in certain cases, and, subject to approval by the Public Utility Commission for the construction, maintenance and operation of its facilities, and providing for the assessment of damages arising from such appropriation and the method of appropriation.

Which was committed to the Committee on Corporations.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 908, entitled

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

Which was committed to the Committee on Appropriations.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 909, entitled

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

Which was committed to the Committee on Appropriations.

#### PERMISSION TO ADDRESS SENATE

Mr. LEADER asked and obtained unanimous consent to address the Senate.

Mr. LEADER. Mr. President, the bill which I am about to present deals with the apportionment of the Commonwealth of Pennsylvania into Congressional Districts. This bill is the result of perhaps one of the most exhaustive, unbiased and nonpartisan efforts to deal with this problem that has ever been put forth, because I believe that good government is good politics; in fact, the very best politics.

Mr. President, I would like to recommend this bill, based on the study of the League of Women Voters. I would like to recommend it to the gentlemen of the Senate, and to His Excellency the Governor.

Mr. President, I read in place and present to the Chair the following bill.



## BILL INTRODUCED AND REFERRED

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 910, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

Which was committed to the Committee on Reapportionment.

## REPORT FROM COMMITTEE

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Local Government, reported as committed, House Bill No. 1727, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further providing for certain minimum and maximum pensions.

## FORMER SENATOR RAHAUSER PRESENTED TO SENATE

The PRESIDING OFFICE. The Chair observes the presence of a former distinguished Member of this Senate. He is now District Attorney for the County of Allegheny, and is Judge-Elect of the Orphans Court of the same county. Will the gentleman take a bow?

## SENATE RESOLUTION

COMMITTEE BE APPOINTED TO INVESTIGATE CHARGES MADE ON SENATE FLOOR BY SENATOR JOHN HALUSKA, IN PUBLIC HEARINGS, AND A REPORT MADE TO THE SENATE

Mr. WALKER offered the following resolution which read as follows:

In the Senate, December 4, 1951.

Whereas, on November 27, 1951, on the floor of the Senate, Senator John Haluska, a member of the Senate from Cambria County, stated that an article appearing in the Johnstown Democrat of October 15th was substantially correct and "sounds nearly like the statement I made." The article referred to read as follows: "Senator John Haluska yesterday charged that he had been offered a bribe if he would abandon his opposition to the proposed State Income Tax. Speaking at a Democratic meeting in Ebensburg Court House, Senator Haluska declared 'I was offered enough that I would not have to work for the rest of my life if I would withdraw my opposition to this Income Tax measure.'"

Whereas, Senator Haluska refused to present to the Senate sitting in a Committee as a whole any facts to substantiate the above statement but insisted on appearing at a public hearing of a Senate Investigating Committee, where he would waive immunity and where he expects those involved to waive immunity and

Whereas such charges cast reflection upon the integrity of the members of the Senate and

Whereas the seriousness of such charge demands immediate action in the interest of the citizens of the Commonwealth to prevent such unlawful conduct, if true, now therefore be it

Resolved that a committee of ten members, be appointed by the President Pro Tempore of the Senate, five of whom shall be members of the majority party and five to be members of the minority party and the

said committee be and is hereby authorized and directed to make an immediate investigation of all of the said charges made on the floor of the Senate by the said Senator John Haluska, in public hearings, and that the Committee shall make its report to the Senate at the earliest possible moment before the adjournment of this session of the General Assembly, and be it further

Resolved, That the said Committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

## RESOLUTION ADOPTED

Mr. WALKER. Mr. President, I move that the resolution be adopted.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

## PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I would like to say for the information of the gentlemen of the Senate that in presenting that resolution I appreciate the fact that the gentleman from Cambria is not on the floor, inasmuch as he asked for a leave of absence last week and expects to be with us tomorrow. The purpose is merely to set in motion the machinery that will bring about the public hearing that was so vigorously debated on the floor of the Senate last week, and it is not with any thought or attempt to take advantage of the gentleman's absence. It is merely granting to him the thing that he has been so insistent upon.

## SENATE RESOLUTION

DIRECTING THE INSURANCE DEPARTMENT TO INVESTIGATE MANNER IN WHICH OTHER STATES SOLVE PROBLEM OF INSURING CERTAIN OWNERS IN RE. PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE

Messrs. SILVERT and WADE offered the following resolution which was read as follows:

In the Senate, December 4, 1951

Whereas, An owner of automobiles or trucks sometimes finds the insurance company which has heretofore insured him against public liability and property damage has refused to renew his insurance policies because of excessive losses or for other reasons and such owner is obliged to obtain insurance from an Assigned Risk Pool; and

Whereas, If the insurance company which is one of the insurance companies in the Assigned Risk Pool, insures such an owner and subsequently fails financially, the owner may be faced with claims which he is unable to meet; and

Whereas, If all the insurance companies in the Assigned Risk Pool were to share such risks, the insured auto-



mobile or truck owner would not likely be subjected to liability because of the failure of the insurance company; and

Whereas, The Pennsylvania Insurance Department is familiar with the nature of this problem; therefore be it

Resolved, That the Senate of Pennsylvania hereby directs the Insurance Department of this Commonwealth to make an investigation of the manner in which insurance departments of other states have solved the problem of insuring certain owners and of distributing the risk of public liability and property damage insurance where individual insurance companies have refused to insure such owners; and be it further

Resolved, That the President Pro Tempore of the Senate appoint two senators and the minority leader of the Senate appoint one senator who with the Secretary of the Insurance Department of Pennsylvania shall function as a committee for the consideration of the results of the investigation of the Insurance Department and shall prepare a report of its findings and recommendations, which report shall be presented to the Senate by January fifteenth, one thousand nine hundred fifty-three.

#### RULE 39 SUSPENDED

Mr. SILVERT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

#### SENATE RESOLUTION

##### URGING THAT PUBLIC HEARINGS BE ARRANGED TO GIVE ALL PERSONS AN OPPORTUNITY TO EXPRESS VIEWS AND PRESENT FACTS IN SOLVING BUDGET DIFFICULTIES

Mr. Yosko offered the following resolution which was read as follows:

In the Senate, December 4, 1951.

Whereas, the Honorable John S. Fine, Governor of the Commonwealth of Pennsylvania submitted his budget report to the General Assembly early in the Session, and

Whereas, shortly thereafter the Honorable John M. Walker, Majority Leader of the Senate and the Honorable John H. Dent, Minority Leader of the Senate, disagreed with numerous items contained in the Governor's budget, particularly with regard to the revenue needed to finance the obligations of the Commonwealth for the current biennium, and

Whereas, as a result of the discrepancies and inconsistencies indicated by surveys of Governor's budget, the longest Legislative Session in the history of Pennsylvania has resulted, and

Whereas, the Pennsylvania Economy League very recently made a survey of the budget, as well as of the financial needs of the Commonwealth for the current biennium and in the report of its findings, stated that no new or additional taxes were necessary to finance the obligations of the Commonwealth during the current biennium under certain conditions, and

Whereas, at the request of the Governor of the Commonwealth of Pennsylvania, certain colleges and universities in Pennsylvania, were requested to make a survey of the budget needs of the Commonwealth for the current biennium, and a preliminary report by this group has been submitted to the Members of the Senate today with notice that the final report will be filed on December 10th, and

Whereas, although disagreement was indicated in both the reports of the Pennsylvania Economy League and the group representing the colleges and universities with the conclusion arrived at in the Governor's budget report, recommendations to eliminate waste, extravagances, loose spending, overlapping and red tape in the State Government were not recommended as a means of affecting economies which would reduce budget needs and result in a more efficient administration of the affairs of the State Government, and

Whereas, the Institute of Certified Public Accountants, as a result of a Resolution adopted in the 1949 Session, made a survey of the various departments, boards and commissions of the Commonwealth and following its survey prepared and filed reports of its findings, as well as making certain recommendations to eliminate waste, extravagances, loose spending, overlapping and red tape and in particular, recommended the establishment of a uniform accounting system to be administered by an Accountant General, and

Whereas, because of the differences of opinion expressed by the Governor in his budget report, as compared with the findings of the Majority and Minority Leaders of the Senate, the Pennsylvania Economy League and the group representing the universities and colleges of Pennsylvania, it is deemed advisable to hold public hearings to obtain the views of all interested parties in order that an agreement may be reached on the budgetary and financial needs of the Commonwealth for the current biennium, after considering possible economies, to be affected by the elimination of waste, extravagances, loose spending, overlapping and red tape.

Therefore Be It Resolved, that it is the sense of the Members of the Senate that public hearings be arranged to begin on Monday, December 10th, in the Senate Caucus Room for the purpose of giving all persons, an opportunity to express their views and present such facts and statements as may be helpful in solving present budget difficulties in the best interest of the people of this Commonwealth, and

Be it Further Resolved, That the Members of the Senate shall have the right to requisition such records of the departments, boards and commissions of the Commonwealth and to summon such personnel of the Commonwealth as might be deemed necessary to aid in the purpose of these hearings and in the solution of these problems.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration of the resolution.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

#### CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON. Mr. President, I call from the table the nomination of Saverio Grande, reported from the Committee on Executive Nominations.

The nomination was read as follows:

ALDERMAN, SECOND WARD FARRELL,  
MERCER COUNTY

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, November 28, 1951

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Saverio Grande, 1301 Bond Street Farrell, Mercer County,



for appointment as Alderman in and for the Second Ward of the City of Farrell, Mercer County, until the first Monday of January 1954, vice William E. Ward, resignd.

JOHN S. FINE

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. LETZLER,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. CROWE,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

Two-third of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

#### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 900 as follows:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to

deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing refunds" as last amended by the act approved the sixteenth day of July one thousand nine hundred and thirty-five (P. L. 1056) is hereby further amended to read as follows

Section 1027 Certain Vehicles to Stop at Railway Grade Crossings All motor buses and motor omnibuses engaged in the transportation of passengers for compensation and all [motor vehicles] school buses used in the transportation of school children [either on contract with the school district authorities or owned by school districts] and vehicles transporting explosives or [flammable liquids] dangerous articles as defined in section one thousand one hundred fifteen of this act as a cargo or part of a cargo shall come to a complete stop immediately before crossing a railway grade crossing except where there is no official railroad advance warning sign facing approaching traffic and the rails on both sides of the crossing have been disconnected or physical barriers preventing the movement of railway traffic over the crossing from either direction have been erected

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 900, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate



do concur in the amendments made by the House to House Bill No. 900, recalled from the Governor for the purpose of amendment.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Proper,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1292, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include certain vehicles of the tractor type authorizing the Secretary of Revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "motor vehicle" in Section 1 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" is hereby amended to read as follows

Section 1 Definitions The following words and phrases when used in this act shall for the purposes of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

\* \* \* \* \*

"Motor Vehicle" Every self-propelled vehicle which is designed for use upon a highway or which may be used upon a highway including trailers and semi-trailers designed for use with such vehicles and vehicles of the tractor type [( ) except traction engines road rollers combines farm tractors (vehicles of the tractor type which are self-propelled designed and used primarily as farm implements for drawing plows mowing machines and other implements of husbandry) exempt from registration tractor cranes [power shovels] and well drillers [ )]

Section 2 Sections 4 5 and 32 of said act as amended by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1279) are hereby further amended to read as follows

Section 4 Additional Information Required in Accident Reports Effect of Failure to Report Accidents In addition to the information required by "The Vehicle Code" in the report of a motor vehicle accident such report shall contain such information as may be prescribed by the secretary to enable [the secretary] him to determine whether the requirements for the deposit of security under section five of this act are inapplicable by reason of the existence of insurance or other exceptions specified in this act or to make appraisal of all operative facts

The secretary shall suspend the license or any non-resident's operating privilege of any person who wilfully fails refuses or neglects to make report of a motor vehicle accident as required by the laws of this State until such report has been filed and for such further period as may be determined in accordance with the provisions of section five of this act

Section 5 Security Required Unless Evidence of Insurance When Security Determined Suspension Exceptions (a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to the property of any one person in excess of one hundred dollars (\$100.00) the secretary does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has (1) been released from liability or (2) has been finally adjudicated not to be liable or (3) has executed a warrant for confession of judgment payable in such installments as the parties have agreed to or (4) has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident the secretary shall determine the amount of security which in his judgment shall be sufficient to satisfy any judgment or judgments that may be recovered against each operator or owner for damages resulting from such accident

(b) The secretary shall within sixty (60) days after the receipt of such report of a motor vehicle accident suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident and if such operator is a nonresident the privilege of operating a motor vehicle within this State and if such owner is a nonresident the privilege of the use within this State of any motor vehicle owned by him unless such operator or owner or both shall deposit security in the sum so determined by the secretary Notice of such suspension shall be sent by the secretary to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security Where erroneous information is given the secretary with respect to the matters set forth in clauses (1) (2) or (3) of subsection (c) of this section he shall take appropriate action as hereinbefore provided within sixty (60) days after receipt by him of correct information with respect to such matters

(c) This section shall not apply under the conditions stated in section six or to any of the following

(1) To such operator or owner if such owner had in effect at the time of such accident an automobile liability policy with respect to the motor vehicle involved in such accident



(2) To such operator if not the owner of such motor vehicle if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him

(3) To such operator or owner if the liability of such operator or owner for damages resulting from such accident is in the judgment of the secretary covered by any other form of liability insurance policy or bond or

(4) To any person qualifying as a self-insurer under section thirty-four

(d) No such policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this State except that if such motor vehicle was not registered in this State or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy or bond or the most recent renewal thereof such policy or bond shall not be effective under this section unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing the secretary to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident provided however every such policy or bond is subject if the accident has resulted in bodily injury or death to a limit exclusive of interest and costs of not less than five thousand dollars (\$5000.00) because of bodily injury to or death of one person in any one accident and subject to said limit for one person to a limit of not less than ten thousand dollars (\$10,000.00) because of bodily injury to or death of two or more persons in any one accident and if the accident has resulted in injury to or destruction of property to a limit of not less than one thousand dollars (\$1000.00) because of injury to or destruction of property of others in any one accident

Section 32 Other Violations Penalties (a) Any person whose license or registration or nonresident's operating privilege has been suspended or revoked under this act and who during such suspension or revocation drives any motor vehicle upon any highway or knowingly permits any motor vehicle owned by such person to be operated by another upon any highway except as permitted under this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500) or [imprisonment] imprisoned not exceeding six (6) months or both in the discretion of the court

(b) Any person wilfully failing to return a license or registration as required in section thirty-one shall upon summary conviction before a magistrate be fined [not more than five hundred dollars (\$500) or imprisoned not to exceed] one hundred dollars (\$100) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty (30) days [or both in the discretion of the court]

(c) Any person who gives any information required by the secretary under section four of this act in a report of a motor vehicle accident knowing or having reason to believe that such information is false or who [shall forge] makes a false affidavit in connection with any transaction under this act or who forges or without authority [sign] signs any evidence of proof of financial responsibility or who files or offers for filing any such notice or evidence of proof knowing or having reason to believe that it is forged or signed without authority shall be guilty of a misdemeanor and upon conviction shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than (1) year or both in the discretion of the court

(d) Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500) or imprisoned not more than ninety (90) days or both in the discretion of the court

(e) All fines and penalties imposed pursuant to the provisions of this act shall be paid to the Commonwealth

Section 3 Section 35 of said act is hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1293, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1293, recalled from the Governor for the purpose of amendment.

Mr. WOLFE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows,, viz:

YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Proper,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1294, as follows:

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for the registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the operators of tractors shall be licensed under the vehicle code and further providing for the equipment of tractors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The title of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and



trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

#### An Act

Relating to and regulating tractors [and trailers] and their operation providing for their registration [and the licensing of certain operators] by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors [and trailers] providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damage caused by the negligent operation of tractors [and trailers] imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds

Section 2 Section 102 of said act as amended in part by the acts approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) the sixth day of May one thousand nine hundred forty-three (P. L. 198) and the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1456) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Cleat" Any projection block stud flange or any other protuberance of any material other than rubber which projects beyond the outside surface of the periphery of the wheels of a tractor

"Dealer" Any person firm corporation or association engaged in the business of manufacturing or in the purchase and sale of tractors [or trailers] and who has an established place of business

"Department" The Department of Revenue of this Commonwealth

"Guide Band" Any flange affixed to the center line of the outside surface of the periphery of the front or guiding wheels of a tractor

"Highway" Every way or place of whatever nature open to the use of the public as a matter of right for purpose of vehicular travel The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons colleges universities or other institutions

"Magistrate" A mayor burgess magistrate alderman justice of the peace or other officer having the powers of a committing magistrate

["Operator" Every person who is in actual physical control of a tractor

"Operator's License" The license issued to any person to operate a tractor]

"Owner" A person who is the legal owner of a tractor [or trailer] or in the event the tractor [or trailer] is subject to an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agree-

ment and with an immediate right of possession vested by the conditional vendee or lessee shall be deemed the owner for the purpose of this act

"Peace Officer," A sheriff deputy sheriff constable member of the Pennsylvania State Police State Highway Patrolman or other police officer vested with authority of arrest

"Person" Every natural person firm copartnership association or corporation

"Secretary" The Secretary of Revenue of this Commonwealth "State" A State territory organized or unorganized or district of the United States of America

["Trailer" Every vehicle wagon or truck drawn by a tractor for hauling material or freight of any kind excepting water and fuel tanks road-graders stone-crushers saw-mills concrete mixers and agricultural equipment not self-propelled Provided however That a wagon or truck [drawn by a tractor for the transportation of the agricultural products of the owner of such wagon or truck or returning from such transportation shall not be included within such definition and no fee shall be required to operate such vehicle on the public highways]

"Tractor" Every vehicle of the tractor type which is self-propelled [originally constructed under a distinctive name make model or type by a generally recognized manufacturer] designed and used for drawing other vehicles and not so constructed as to carry a load thereon either independently or any part of the weight of a vehicle or load so drawn excepting road rollers ditch diggers or vehicles used exclusively upon stationary rails or tracks In the case of motor vehicles as defined in the Vehicle Code which cannot be used as motor vehicles the secretary may determine in each case whether or not such motor vehicle is of the tractor type and in making such determination the secretary shall consider the purpose for which such motor vehicle shall be used

"Farm Tractor" Every vehicle of the tractor type which is self-propelled designed and used primarily as a farm implement for drawing plows mowing machines and other implements of husbandry

"Vehicle" Every device in upon on by which any person or property is or may be transported or drawn or which may draw devices upon a highway excepting devices used exclusively upon stationary rails or tracks

Section 3 Section 201 of said act as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 303) is hereby further amended to read as follows

Section 201 Registration of Tractors [and Trailers] Required Except as hereinafter provided no tractor [or trailer] shall be operated or driven upon any highway of this Commonwealth until the said tractor [or trailer] shall have been registered with the department as hereinafter provided and the registration plate that has been issued for the vehicle for the current year is received and displayed as required by this act

Tractors [and trailers] including farm wagons and agricultural equipment drawn by tractors [with or without a trailer] used exclusively by any person upon the farm or farms he owns or operates or upon highways connecting by a direct route any farms or portions of farms under the ownership or operation of such person to any other farm or to any garage for the purpose of having the same repaired shall be exempt from registration

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 Section 202 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 202 Application for Registration and Duplicates

(a) Application for registration of a tractor shall be made upon a form prescribed and furnished by the department and shall contain the make manufacturer's number character of the motive power weight and such other information as the department may require



[Application for registration of a trailer shall be made upon a form prescribed and furnished by the department and shall contain the make and the combined weight of the chassis and body if so constructed or the gross weight of the trailer exclusive of the load to be transported and such other information as the department may require]

The application shall be sworn to before a notary public or other officer empowered to administer oaths and shall contain the full name and the actual or bona fide address of the owner or owners. The application shall be signed by the owner if a natural person and in the case where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by said corporation copartnership or association to sign the same.

(b) Upon receipt of the application and the fee provided in this act the secretary shall register the tractor [or trailer therein] described and the owner thereof in suitable books or in index cards maintaining suitable records of all registrations issued.

(c) The secretary upon registering a tractor [or trailer] shall issue to the owner a registration card which shall bear thereon the registration number assigned to the owner and to the tractor [or trailer] the name and address of the owner also a description of the vehicle and such other statement of facts as may be determined by the secretary. The owner upon receiving the registration card shall sign the usual signature or name of such owner with pen and ink in the space provided.

(d) In the event of a lost destroyed or illegible registration card application shall be made to the department within forty-eight (48) hours of the discovery of the loss of such registration card for a duplicate registration card upon a form furnished by the department and accompanied by the fee provided in this act. Thereupon the department shall issue a duplicate registration card to the owner.

(e) No owner or operator of a tractor [or trailer] shall be subject to a fine for the reason that registration card is missing if the owner or operator makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding and that application for new registration card was made within forty-eight (48) hours as required in this section.

(f) The registration card issued for a tractor [or trailer] required to be registered shall at all times while the vehicle is being operated upon a highway be in the possession of the operator thereof or carried in the tractor [or trailer].

Penalty Any person violating any of the provisions of subsection (c) (d) or (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of five (5) dollars and costs of prosecution and in default of the payment shall undergo imprisonment for not more than (3) days.

Section 5 Sections 204 205 206 and subsections (a) and (d) of section 207 of said act are hereby amended to read as follows:

#### Section 204 Registration of Dealers

(a) Tractors [or trailers] owned or kept by dealers shall be exempt from individual registration if said dealer registers with the department in the "Dealer's Class."

(b) Application for such registration shall be made to the department upon a form furnished by the department. The application shall contain the full name and business address of the applicant and such other information as the department shall require. Upon receipt of the application accompanied by the fee provided in this act for each registration card and registration plate desired the department shall issue to the applicant as many registration cards and registration plates as may have been applied for.

(c) No tractor [or trailer] shall under any circumstances be operated under the dealer's registration unless the registration card for the registration plate displayed is carried by the operator and bears the signature of the dealer to whom issued.

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a

magistrate be sentenced to pay a fine of five (\$5) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days.

Section 205 Registration by Nonresidents Nonresidents of this Commonwealth except as otherwise provided in this act will be exempt from the provisions of this act as to the registration of tractors [and trailers] for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the foreign country or State of their residence relative to the registration of tractors [and trailers] and shall conspicuously display the registration plates as required thereby and have in their possession the registration card issued for such tractor [or trailer].

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 206 Registration Shall be Refused The department shall not accept an application for the registration of a tractor [or trailer] in any of the following events:

1 When the applicant therefor is not entitled thereto under the provisions of this act.

2 When the applicant has neglected or refused to furnish the department with the information required in the appropriate official form or reasonable additional information required by the department.

3 When the fees required therefor by law have not been paid.

4 When the vehicle is not constructed or equipped as required by this act.

#### Section 207 Registration Suspended

(a) The secretary may suspend any registration with or without a hearing before the secretary or his representative in any of the following cases:

1 When tractor [or trailer] is unsafe or unfit for operation or is not equipped as required by this act.

2 When the owner shall make or permit to be made any unlawful use of a tractor [or trailer] or registration plate or permit the use thereof by a person not entitled thereto.

3 When the owner has been convicted of using a false or fictitious name or giving a false or fictitious address in any application or form required under the provisions of this act or knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in any application.

4 Upon certification or request or order of any court duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders.

5 When check submitted in payment of any registration is returned to the department because of insufficient funds or is not paid on demand.

\* \* \* \* \*

(d) No tractor [or trailer] the registration of which has been suspended shall be operated on the highway during the period of suspension.

Section 6 Subsection (a) of section 208 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows:

#### Section 208 Transfer of Registration

(a) Upon transfer of ownership or the destruction of any tractor [or trailer] the registration shall expire.

Section 7 Subsections (a) and (c) of section 301 of said act as amended by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 174) are hereby further amended to read as follows:

Section 301 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose tractor [or trailer] has been registered and for each registration issued to a dealer one (1) registration plate.

\* \* \* \* \*



(c) The registration plate shall be kept reasonably clean and shall not be defaced in any manner and shall be displayed conspicuously on the front or rear of the tractor [and on the rear of the trailer] in such a way that [they] it may be easily read

Section 8 Sections 302 and 303 and subsections (a) and (d) of section 304 of said act are hereby amended to read as follows

Section 302 Use of Dealer's Registration Plates Registration plate issued under dealer's registration may be used on any tractor [or trailer] owned by such dealer and operated by such dealer or the employe of such dealer when such tractor [or trailer] is used (a) in the tractor [or trailer] business of such dealer (b) for testing tractors [or trailers] in the possession of such dealer (c) for demonstrating tractors [or trailers] in the possession of such dealer and such tractors [and trailers] may be operated by a prospective purchaser when licensed as an operator and when accompanied by the dealer or an employe of such dealer

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than (5) days

Section 303 Use of Registration Plates Restricted

(a) No person shall operate a tractor [or trailer] under any other registration plates than that of its own registration

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 304 Lost or Defaced Registration Plates

(a) In the event of the loss of registration plate or if a plate becomes so defaced that the numbers thereon are illegible it shall be the duty of the owner of the tractor [or trailer] for which the same were issued to apply to the department for new registration plate within forty-eight (48) hours of his discovery of the loss or defacement of such plate

\* \* \* \* \*

(d) No owner or operator of a tractor [or trailer] shall be subject to a fine for the reason that registration plate is missing if he makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding and that application for new plate was made within forty-eight (48) hours as required herein

Section 9 Section 305 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 305 Transfer of Registration Plate

(a) Upon the transfer of ownership or destruction of any tractor [or trailer] the owner shall remove the registration plate therefrom

(b) In the event of the transfer of registration plate to a tractor [or trailer] of the same classification as that originally registered the owner shall be assigned the registration plate previously issued to him unless such registration plate has been lost or destroyed

(c) If transfer of registration plate is from tractor classification to trailer classification or from trailer classification to tractor classification the owner shall be issued a new registration plate Upon receipt of new registration plate the original registration plate shall be returned to the department immediately for cancellation unless such registration plate has been destroyed or lost

Penalty Any person violating any of the provisions of subsections (a) or (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 10 Sections 306 307 and 308 of said act are hereby amended to read as follows

Section 306 Temporary Use of Registration Plate Pending Transfer of Registration After the transfer of registration plate from a tractor [or trailer] to another tractor [or trailer] owned by the same owner the owner or operator shall not for a period of twenty (20) days be subject to a fine for operation of the latter tractor [or trailer] without the proper transfer registration card provided he shall have made application to the department as required in this act for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect

Section 307 Illegal Transfer of Registration Plate No person shall give or lend tractor [or trailer] or dealer's registration plate to another

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 308 Return of Dealer's Registration Plate Registration plate or plates and registration card or cards issued in the dealer's class shall be returned to the department for cancellation when the dealer discontinues tractor [or trailer] business

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 11 Subsection (b) of section 309 of said act as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby further amended to read as follows

Section 309 Expiration of Registration Plates

\* \* \* \* \*

(b) No tractor [or trailer] shall be operated on any highway with registration plates which have expired nor without registration plate on claim by the owner or operator that registration plate for the current year has been applied for but not received

Section 11.1 Section 401 of said act is hereby amended to read as follows

Section 401 Operators Must Be Licensed No person except those expressly exempted thereby shall operate any tractor upon a highway in this Commonwealth unless such person has been licensed to operate a motor vehicle under the vehicle code

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 12 Sections 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 and 502 of said act and their amendments are hereby repealed

Section 13 Section 503 of said act is hereby amended to read as follows

Section 503 Dealers The fee shall be twenty-five (\$25) dollars for each additional annual registration issued to persons registered as dealer in tractors [or trailers]

Section 14 Section 504 of said act is hereby repealed

Section 15 Section 505 of said act as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby further amended to read as follows

Section 505 Reduction of Registration Fees in Certain Cases The fee for registration of a tractor [or trailer] when registration is issued on or after the beginning of the seventh month of the registration year but prior to the beginning of the tenth month of the registration year shall be one-half ( $\frac{1}{2}$ ) of the fee for annual registration The fee for registration of any tractor [or trailer] when registration is issued on or after the beginning of the



tenth month of the registration year shall be one-fourth (¼) of the fee for annual registration herein specified

Section 16 Section 506 of said act as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby repealed

Section 17 Section 507 of said act is hereby amended to read as follows

Section 507 Replacement of Registration Plates The fee for replaced tractor [trailer] or dealer's registration plate shall be one (\$1) dollar

Section 18 Section 508 subsections (a) and (b) as re-lettered of section 512 and section 513 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) are hereby further amended to read as follows

Section 508 Transferring Registration The fee for transfer of registration shall be two (\$2.00) dollars when tractor [or trailer] is of equal or less classification than that originally registered or upon payment of a fee of two (\$2) dollars and the difference between the fee originally paid and that due if the tractor [or trailer] be properly registerable in a higher classification

Section 512 Exemptions from Fees

(a) No fee shall be charged for the registration of tractors [and trailers] owned and used by (a) the Federal Government (b) any State other than Pennsylvania which issues registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of the Commonwealth (e) hospital or any duly authorized volunteer fire force but all such vehicles except those owned and used by the Federal Government shall be registered and shall display registration plates as this act provides for privately owned tractors [and trailers]

(b) No fee shall be required for replacement or substitution of registration card registration plate [or operator's license] when satisfactory proof is furnished the secretary of loss of same in the mails

Section 513 No Other Taxes or Fees to be Imposed No city borough incorporated town township or county shall require or collect any registration [or operator's license] fee or tax for any tractor [trailer or license from any operator thereof]

Section 19 Section 601 of said act is hereby amended to read as follows

Section 601 Lights

(a) Every tractor upon a highway within this Commonwealth during the period from one (1) hours after sunset to one (1) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred (200) feet ahead shall be equipped with two (2) headlamps and no less at the front of and on opposite sides of the tractor and shall also carry at the rear a lamp which exhibits a red light plainly visible to the rear [except that tractors of the first class may display a white light in front and a white or red light in the rear]

[(b) Every trailer attached to a tractor shall during the time specified in subsection (a) of this section exhibit a white or red light to the rear of said trailer]

(c) Whenever a tractor [or trailer] is parked or stopped upon a highway whether attended or unattended during the time when lights are required by this act it shall display a white light in front and a [white or] red light in rear visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front and to the rear of such tractor [or trailer]

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of two (\$2) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than one (1) day

[Any person violating any of the provisions of subsection (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten

(\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days]

Section 20 Subsections (a) and (f) of section 602 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) are hereby further amended to read as follows

Section 602 Cleats Guide Bands Grousers Chains and Tires

(a) It shall be unlawful for any person to operate or move or for the owner to cause or knowingly permit to be moved on any highway any tractor [or trailer] which is not so constructed or equipped as required in this act

\* \* \* \* \*

(f) Every tractor [or trailer] equipped with rubber tires moved on any highway shall have rubber on its entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery It shall be permissible to use tire chains consisting of not less than five (5) cross chains or which do not project more than one (1) inch upon the outside surface of the periphery of the wheel on any tractor when required for safety because of snow ice or other conditions tending to cause a tractor to slide or skid

Section 21 Section 604 of said act is hereby amended to read as follows

Section 604 Red Light Visible from in Front of Tractor [or Trailer] No person shall operate or move any tractor [or trailer] upon a public highway with a red light displayed on the front thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 22 Section 607 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 607 Size of Vehicles and Load

(a) No tractor except street sweeper road grader and snow removal equipment shall exceed a total maximum width including any load thereon of one hundred and ten (110) inches

[(b) No trailer except fire department equipment shall exceed a total maximum width including load thereon of ninety-six (96) inches except that the limitations as to size of trailers in this act shall not apply to such vehicles loaded with hay or straw in bulk]

(c) No tractor [or trailer] except fire department equipment shall exceed a total maximum length including load thereon of three hundred and ninety-six (396) inches and no combination of vehicles coupled together shall exceed a total maximum length of seventy (70) feet

1 No tractor [of the second class] shall be operated upon any highway drawing or having attached thereto more than one (1) other vehicle

2 The draw-bar or other connection between a tractor or [trailer] other vehicle shall not exceed fifteen (15) feet in length from tractor to the [trailer] other vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches both in length and width

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 23 Section 608 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) and in part by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 374) is hereby further amended to read as follows

Section 608 Weight of Tractor [Trailer] and Load



(a) Tractors shall not be operated or moved upon any highway with gross weight in excess of thirty-thousand (30,000) pounds if of the two axle type and forty thousand (40,000) pounds if of the three axle type

(b) The width of tires on the wheels of tractors [or trailers] shall be sufficient so that including the load on the tractor [or trailer] the weight shall not be in excess of eight hundred (800) pounds on any wheel for each nominal inch of width of tire on each wheel

[(c) Trailers shall not be operated or moved upon any highway with gross weight exceeding those specified for the several classes as follows]

Two-Wheeled Class	Trailer Weight in Pounds	[Maximum Gross Weight in Pounds]
A..Less than 1000 .....		3,000
B..1000 and over but less than 2000 .....		6,000
C..2000 and over but less than 3000 .....		10,000
D..3000 and over but less than 4000 .....		12,000
E..4000 and over but less than 5000 .....		14,000
F..5000 and over but less than 6000 .....		16,000
G..6000 and over .....		18,000

Four-Wheeled (2 Axles) Class	Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A..Less than 1000 .....		3,000
B..1000 and over but less than 2000 .....		6,000
C..2000 and over but less than 3000 .....		10,000
D..3000 and over but less than 4000 .....		16,000
E..4000 and over but less than 5000 .....		20,000
F..5000 and over but less than 6000 .....		24,000
G..600 and over .....		26,000]

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds	[Maximum Gross Weight in Pounds]
AZ..Less than 3000 .....		12,000
BZ..3000 and over but less than 4000 .....		15,000
CZ..4000 and over but less than 5000 .....		20,000
DZ..5000 and over but less than 6000 .....		26,000
EZ..6000 and over but less than 7000 .....		30,000
FZ..7000 and over but less than 9000 .....		34,000
GZ..9000 and over .....		36,000]

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 24 Section 609 of said act is hereby amended to read as follows

Section 609 Officers May Weigh Tractors [and Trailers] Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority having reason to believe that the weight of a tractor [or trailer] and it or its load is unlawful is authorized to weigh the same either by means of portable or stationary scales or may require that such vehicle be driven to the nearest stationary scales in the event such scales are within a distance of two (2) miles The peace officer may then require the operator to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle to the maximum gross weight specified in this act except as herein provided for special hauling permits And further provided That no arrests shall be made in cases where the maximum gross weights provided in this act are not exceeded by more than ten (10) per centum thereof

Penalty Any person refusing to unload excess weight when so ordered shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 25 Section 610 of said act as last amended by the act approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1322) is hereby further amended to read as follows

Section 610 Permits for Excessive Size and Weight The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may at their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue special permits in writing authorizing the applicant to operate or move upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible (a) a tractor [or trailer] of a size and weight exceeding the maximum specified in this act every such permit shall be issued for a single trip and shall designate the route to be traversed (b) any heavy piece of quarry equipment or machinery of a size and weight exceeding the maximum specified by this act across any highway from one part of a quarry to another or upon the highways connecting by the most direct route any quarries or portion of quarries under the single ownership or operation of such person this permit to be issued for the license year as provided by this act no such permit shall be issued for the movement of such equipment or machinery for a distance greater than one-half mile (c) any over-size self-propelled combine up to one hundred fifty (150) inches in width every such permit shall be issued for the period between the fifteenth day of June and the fifteenth day of November both inclusive for the movement of such equipment during the daylight hours within a radius of ten (10) miles from the owner's home or farm At other times a permit for the movement of such equipment shall be granted as otherwise herein provided Any of the above permits shall be subject to such rules and regulations and any other conditions or restrictions including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not the same was attributable to negligence on the part of the permittee as shall be deemed necessary by the authorities granting such permit Every such permit shall be carried in the vehicle to which it refers shall be open to inspection by any peace officer or person having collision with the tractor [or trailer] and shall be revocable at any time at the discretion of the official who issued the same

Penalty Any person operating or moving a tractor or trailer and its load of a size or weight exceeding the maximum specified in this act without first having obtained a permit or permits so to do shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 26 Section 612 of said act is hereby amended to read as follows

Section 612 Regulating Weight of Tractors [and Trailers] on Bridges Where any bridge causeway or viaduct owned or maintained whether owned in whole or in part by this Commonwealth or local authorities other than interstate bridges as now provided by law shall have a sign properly posted in a conspicuous place at the entrance thereto stating the gross maximum weight permitted thereon it shall be unlawful for any person to drive or cause to be driven upon any such bridge causeway or viaduct any tractor [or trailer] which together with its load shall be of greater gross maximum weight than is mentioned in such sign Provided however That restrictions as to maximum weight mentioned in such signs shall not apply for a period exceeding one (1) year from the date of posting of such signs unless a further extension of time is authorized by the Secretary of Highways of this Commonwealth

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 27 Subsection (b) of section 703 and section 708 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one



(P. L. 815) are hereby further amended to read as follows  
Section 703 Arrests on View or With Warrant  
\* \* \* \* \*

(b) If the defendant is unable to give bail as provided in this act for a hearing or for his appearance at court the magistrate shall accept as bail any article of sufficient value or if the defendant is the owner thereof shall hold in custody the tractor [or trailer] found in his possession and the court or magistrate after the trial of the defendant or when bail according to law has been given shall make such order as to the disposition of such tractor [or trailer] or other articles accepted as bail as shall seem just and proper

Section 708 Civil Actions for Damages All civil actions for damages arising from the use and operation of any tractor [or trailer] may at the discretion of the plaintiff be brought before any magistrate alderman or justice of the peace in the county wherein the alleged damages were sustained if the plaintiff has had said damages repaired and shall produce a receipted bill for the same properly sworn to by the party making such repairs or his agent or said action may be brought in the court of common pleas of said county and service of process in either case may be made by the sheriff of the county where the suit is brought deputizing the sheriff of the county wherein the defendant or his registered agent resides or where service may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county No action involving more than one hundred (\$100.00) dollars shall be brought before any magistrate alderman or justice of the peace

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE BILL No. 1294, RECALLED FROM THE  
GOVERNOR .

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1294, recalled from the Governor for the purpose of amendment.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Walker,
Blass,	Lane,	Peelor,	Watkins,
Byrne,	Leader,	Propert,	Watson,
Chapman,	Letzler,	Robinson,	Wolfe,
Crews,	Mahany,	Rosenfeld,	Wood,
Dent,	Mallery,	Ruth,	Wagner,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1370

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1370, entitled: "An act to further amend Section 2004 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled 'An act relating to cities of the third class and amending, revising, and consolidating the law relating thereto,' by limiting to forty-four hours the work week of police officers except in emergencies and fixing minimum annual vacation for police officers."

Respectfully submit the following bill as our report:

GEORGE B. STEVENSON,  
TILGHMAN A. FREED,  
(Committee on the part of the Senate.)  
DELBERT W. DALRYMPLE,  
HUETTE F. DOWLING,  
JULIAN POLASKI,

(Committee on the part of the House of Representatives.)

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-four hours the work week of police officers except in emergencies and fixing minimum annual vacation for police officers 14 working days



The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No. 164) is hereby further amended to read as follows

Section 2004 Hours of Service Exceptions Vacations No city shall employ or require any police officer to remain on duty for more than eight hours in any twenty-four consecutive hours [or] nor more than [fifty-six] forty-four hours in any one week unless in emergency cases for the suppression of riots or tumults or the preservation of the public peace [Provided That for the duration of any war in which the United States is engaged and six months thereafter the hours of service may exceed the number hereinbefore provided as the maximum number of hours of service and in such cases council shall provide for the payment of extra compensation for any hours of service in excess of such maximum hours of service at the same rate as paid for regular service] Nothing contained herein shall prevent any such city from requiring any such police officer to remain on duty or to work sixteen in any twenty-four consecutive hours not more than one day each week if required by a change in working hours or a change in shifts cities shall permit every member of the police department to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebration and to have an annual vacation of not less than fourteen working days without diminution of the salary or compensation fixed by ordinance

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1370

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1370.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### THIRD READING CALENDAR

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 431, on third reading, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pension for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor.

go over in its order.

The PRESIDING OFFICER. Is ther objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 884, as follows:

An Act to further amend Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State for registered and unregistered cattle

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed



dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assesment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1060) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundred dollars for each horse or mule [seventy-five] one hundred fifty dollars for each head of unregistered cattle [one hundred twenty-five] two hundred fifty dollars for each head of registered cattle fifteen dollars for each head of unregistered swine sheep or goats twenty-five dollars for each head of registered swine sheep or goats five dollars for each fullgrown goose five dollars for each full-grown turkey or wild turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry or domestic game birds killed or injured

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Taylor,
Barr,	Holland,	Meade,	Toole,
Barrett,	Kephart,	Neff,	Wagner,
Berger,	Kessler,	Pechan,	Walker,
Blass,	Lane,	Peelor,	Watkins,
Byrne,	Leader,	Propert,	Stiefel,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 885, as follows:

An Act to amend Section 608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 608 Commission Authorized to Remove Animals in Certain Cases (a) When it is proven to the satisfaction of the commission that fur-bearing animals are excessively destroying property or otherwise becoming a nuisance in any section the commission may at any time remove protection or have such animals removed from that locality or direct the killing and disposition of same in such manner as the case may require

(b) After investigation or upon information otherwise obtained by the Department of Agriculture as to any county being infested with rabies the commission shall upon notice given by said Department remove all protection on raccoons in such infested counties or declare an open season on such animals or direct the killing and disposition of same in such manner as the case may require

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

#### BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that House Bill No. 967, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

be recommitted to the Committee on Local Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1116, as follows:



An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 788) are hereby further amended to read as follows

Section 1 Be it enacted &c That the word "commodity" as used in this act shall mean any thing goods wares merchandise compound mixture or preparation products of manufacture of any tangible personal property which may be lawfully kept sold or offered for sale

The words "liquid commodity" as used in this act shall mean anything fluid or in the liquid state and not mixed with solids and frozen fluid products

The words "dry commodity" as used in this act shall mean any other commodity sold or offered for sale not in liquid or fluid state at the time of sale

The words "liquid measure" as used in this act shall mean the standard United States gallon of 231 cubic inches or binary sub-multiple thereof quart pint or gill

The words "dry measure" as used in this act shall mean the standard United States bushel of 2150.42 cubic inches or sub-multiple thereof peck quart or pint

The words "cubic foot" where used as a unit of measurement shall mean 1728 cubic inches

The word "therm" where used as a unit of measurement shall mean 100,000 British thermal units.

The word "weight" as used in this act shall mean the United States standard avoirdupois pound or ounce

The word "package" as used in this act shall mean everything containing one or more than one unit of any commodity tied or bound together or put up in box bag pack bundle container bottle jar can or any other form of receptacle or vessel not considered as an approved measure except cases cartons crates bundles or bales used for bulk shipping or storage Provided That enclosed packages are marked as to weight measure or numerical count

The word "department" as used in this act shall mean the Department of Internal Affairs

The word "person" as used in this act shall be construed to include any individual firm partnership unincorporated association corporation association agent representative or employe thereof

Section 2 (1) All liquid commodities when sold in bulk or from bulk shall be sold by weight or liquid measure All dry commodities when sold in bulk or from bulk shall be sold by weight dry measure or numerical count unless otherwise designated to be sold in a special manner No dry commodities shall be sold by liquid measure

(2) All meats and meat products poultry and poultry products except eggs shall be sold by weight only eggs may be sold by numerical count

(3) Wood used for fuel shall be sold by weight or by the cord of 128 cubic feet or fraction thereof and accompanied by a statement or invoice certifying the amount sold

(4) Liquefied petroleum gas is defined and limited to any material which is composed predominantly of any of the following hydrocarbons or mixtures of them propane propylene butanes (normal butane or isobutane) and butylene and shall be sold or offered for sale at retail by avoirdupois weight or by liquid measure or vapor volume The unit of sale must be a specified whole or fractional part or whole and fractional part of pounds gallons or cubic feet or on a thermal basis Any of these units shall be convertible into any other units in accordance with the tables hereinafter set forth The unit

of sale shall be clearly shown on weighing or measuring device and also on the customer's invoice indicating the equivalent to a pound a gallon or a cubic foot as weighed or measured by such device

#### (Conversion Table)

Propane			
1 Cu. ft. =			
.117 lbs.	.0276 gals.	.0252 therms	.2522 decitherms
1 lb. =		1	
8.55 cu. ft.	.236 gals.	.215 therms	2.15 decitherms
1 gal. =			
36.28 cu. ft.	4.24 lbs.	.915 therms	9.150 decitherms
1 therm =			
39.6 cu. ft.	4.64 lbs.	1.093 gals.	10 decitherms
1 decitherm =			
3.96 cu. ft.	.464 lbs.	.109 gals.	.100 therms
Butane			
1 Cu. ft. =			
.154 lbs.	.0318 gals.	.0326 therms	.326 decitherms
1 lb. =			
6.50 cu. ft.	.206 gals.	.212 therms	2.12 decitherms
1 gal. =			
31.46 cu. ft.	4.84 lbs.	1.026 therms	10.26 decitherms
1 therm =			
30.67 cu. ft.	4.72 lbs.	.975 gals.	10 decitherms
1 decitherm =			
3.067 cu. ft.	.472 lbs.	.098 gals.	.100 therms

When sold or offered for sale in package form the net contents must be plainly and conspicuously marked on the container or on A tag or other type of label firmly attached thereto and must also be shown on an invoice or delivery ticket (Tare weight is the weight of the container valve and other permanent attachment but does not include valve protecting cap)

When sold by avoirdupois weight variations at the rate of one pound per hundred pounds of a specified net weight of the container are permitted in individual containers but the average weight of not less than twelve containers shall not be less than the marked net weight of the container

After containers sold on a package basis are disconnected for removal from consumer's apparatus before becoming empty a written receipt or statement of credit for all weight in excess of the marked tare weight shall be furnished to the consumer Provided however That the provisions of this paragraph shall not apply where they are inconsistent with the terms of a written contract of sale

Only such measures as are approved under the provisions of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" shall be used

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelot,	Walker,
Byrne,	Leader,	Proport,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,



Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1428, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 3 and 4 of the act approved the seventeenth day of May one thousand nine hundred seventeen. (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drugs" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended by the act approved the thirteenth day of April one thousand nine hundred forty-five (P. L. 231) are hereby further amended to read as follows

Section 1 Be it enacted & C That (a) the term "pharmacy" when not otherwise limited shall for all the purposes of this act be taken to mean a retail drug-store or any place where drugs medicine or poisons are compounded dispensed prepared or sold at retail (b) the term "drug" as used in this act shall include all medicine and preparations recognized in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia for internal or external use and any other substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals (c) the term "pharmacist" shall for all purposes of this act be deemed to mean a person who is properly registered in accordance with this act of Assembly as a pharmacist Provided however That all persons registered as pharmacists by the State Pharmaceutical Examining Board of Pennsylvania under the act of May twenty-fourth one thousand eight hundred and eighty-seven and various supplements and amendments entitled "An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" shall be deemed to be pharmacists registered under this act (d) the term "prescription" shall mean an order for drugs or medicines or combinations or mixtures thereof written or signed by a duly licensed physician dentist veterinarian or other medical practitioner licensed

to write prescriptions intended for the treatment or prevention of disease in man or animals

Section 3 The State Board of Pharmacy shall meet [at least four times a year in the city of Harrisburg or such other place in Pennsylvania as they may deem expedient] not less than quarterly for the transaction of routine business and at least once in every six months and examine all persons in the science of pharmacy and its applied branches who shall make application for registration as pharmacists and that the said State Board of Pharmacy or a majority of them shall grant to such persons as may be qualified registration and certificates of competency and qualification which shall entitle the holders thereof to all the privileges of a pharmacist under the provisions of this act as may be specified therein

The examination shall consist of two parts The first part shall consist of the theoretical examination which shall be given to all applicants and the second part shall consist of a practical examination which shall be given to all applicants who have successfully passed the theoretical examination

Section 4 Every person applying to the Pennsylvania Board of Pharmacy for examination and registration as a pharmacist shall be not less than twenty-one years of age and of good moral character and be a graduate in pharmacy of some reputable and properly chartered college of pharmacy so recognized by the State Board of Pharmacy and must produce satisfactory evidence of having had subsequent to [his sixteenth birthday] entering such college of pharmacy practical experience in the business of retailing compounding or dispensing of drugs chemicals and poisons and of compounding of physicians' prescriptions under the personal supervision of a registered pharmacist one year of which practical experience must have been acquired within the United States

The practical experience required of each applicant for examination and registration shall depend on the length of the course the applicant took in the college of pharmacy of which he is a graduate in pharmacy as follows

(a) If a two year college course in pharmacy then four years of practical experience

(b) If a three years college course in pharmacy then two years of practical experience

(c) If a four years college course in pharmacy then one year of practical experience (This practical experience shall total fifty-two (52) weeks of forty (40) hours per week or a total of two thousand and eighty (2,080) hours Maximum credit of thirteen (13) weeks of forty (40) hours per week will be allowed during the three summer vacations

Under subdivision (a) of this section credit on the years of practical experience required shall be given equal to the actual time of attendance in the college of pharmacy

Credit for practical experience may be given for experience acquired in the drug dispensary of a regular public hospital which is conducted under the constant supervision of a registered pharmacist [but such credit shall not in any case exceed six months]

In lieu of the above requirements of this section relative to the qualifications of applicants for examination and registration as pharmacists any person who has been actively engaged for ten years or longer as a registered assistant pharmacist shall be qualified and entitled to take the examination for pharmacist and upon satisfactorily passing such examination and payment of the prescribed fees shall be duly registered as a pharmacist

Section 2 Section 13 of said act as last amended by the act approved the twenty-fourth day of April one thousand nine hundred thirty-three (P. L. 59) is hereby further amended to read as follows

Section 13 [That hereafter] Hereafter it shall be unlawful to sell drugs medicines or poisons at retail or to compound physicians' prescriptions or to conduct a pharmacy unless the person so doing shall be a pharmacist or assistant pharmacist or to practice as a pharmacist or assistant pharmacist except in compliance with the provisions of the various laws of the Commonwealth relating



thereto Provided however That nothing in this act of Assembly shall be so construed as to interfere with students of pharmacy or other employes in a pharmacy from performing such duties as may be assigned to them by and under the supervision of a pharmacist or assistant pharmacist And provided further That the compounding of physicians' prescriptions or the dispensing and selling of poisons at retail shall not be permitted except under the strict supervision and in the presence of a pharmacist or assistant pharmacist

Nothing in this act of Assembly shall be construed [so as] to prevent [an] a [authorized practitioner of medicine] duly licensed physician dentist veterinarian or other medical practitioner from [administering or dispensing such drugs to bona fide patients as he or she shall deem necessary Provided however] practicing dispensing compounding or giving any medicine or poisons to his patients in the regular course of his practice Provided That such compounding preparing and dispensing be done by such licensee himself And providing further That such drugs so administered or dispensed shall conform to the standards of strength quality and purity as fixed by the laws of this Commonwealth nor prevent the sale or manufacture of proprietary medicines nor prevent storekeepers from dealing in and selling commonly used household drugs or proprietary medicines when the same are offered for sale or sold in original packages except when administered in single doses on the premises which have been put up ready for sale to consumers by pharmacists manufacturing pharmacists manufacturers of proprietary medicine wholesale grocers or wholesale druggists under qualified supervision Provided however That the proprietary medicines or household drugs sold or offered for sale shall not contain any opium coca leaves chloral or any of the salts derivatives or compounds thereof in any quantity whatsoever Provided also That remedial agencies that are administered hypodermically intramuscularly or intravenously and all medicinal substances containing baributuric acid or its compounds and biologicals (except those biologicals distributed to State and county health officers) and medicines containing substances of glandular origin (except intestinal enzymes and all liver products) shall be sold only by registered pharmacists employed by or conducting a registered pharmacy Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) or imprisonment for not more than one year or either or both in the discretion of the court

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1429, as follows:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison," and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" is hereby amended to read as follows

Section 1 Be it enacted &c That on and after the approval of this act every person who shall enter a [pharmacy or drug store] reputable and properly chartered college of pharmacy with the intention of becoming a pharmacist [or assistant pharmacist] shall make application to the State Board of Pharmacy on a form furnished by it for registration and certificate as registered apprentice The fee for such registration and certificate shall be two dollars (\$2.00) or such other sum as may be fixed by the Department of Public Instruction under authority of law

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer



## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1503, as follows:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by Department of Labor and Industry and in certain cases by the chiefs of fire Departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" is hereby amended to read as follows

## An Act

To provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts

Section 2 Section two of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1016) is hereby further amended to read as follows

Section 2 Classes of Buildings The following are the classes of buildings and structures which it is intended that this act shall cover

Class I Buildings Factories power plants mercantile buildings hotels office buildings hospitals asylums public

and private institutions convalescent and nursing homes schools colleges school and college auditoriums and gymnasiums when used for public assemblage airports airport buildings airplane hangars dormitories warehouses garages farm buildings where they are used on a commercial basis and all other buildings specified by the department not enumerated in Classes II III IV and V wherein persons are employed housed or assembled.

Class II Buildings Theatres and motion picture theatres

Class III Buildings Public halls dance halls banquet halls lodge halls churches skating rinks armory halls or any other auditorium in which the public assembles not used for any of the other purposes mentioned in this act

Class IV Buildings Tenement houses apartment houses apartment hotels club houses lodging houses and rooming houses

Class V Buildings Grandstands stadiums and amphitheatres and summer theatres

Section 3 Section four of said act as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1356) is hereby further amended to read as follows

Section 4 Ways of Egress From every floor of buildings enumerated in section two of this act there shall be proper and sufficient ways of egress and means of escape from fire and panic Provided That in all buildings hereafter erected or adapted for any of the purposes enumerated in section two of this act there shall be not less than two (2) ways of egress as remote from each other as possible except that the requirement for two means of egress shall not be applicable to buildings two stories or less in height with an occupancy of not more than three persons above the ground floor when it is determined by the department that adequate means of egress are available to all occupants and except that there may be one means of egress of fire-resistive construction in the case of tenement houses apartment houses and apartment hotels not over three stories in height with not more than a gross area of three thousand (3000) square feet on each floor between exterior and fire walls comprising a maximum of six (6) apartments under regulations which may be promulgated by the Department of Labor and Industry and further provided that in every building the department may require additional means of egress where in its judgment the means of egress are not sufficient

In buildings of more than one story except in special purpose buildings as defined by the department all means of egress shall be located inside the building at least one of [which] the two required interior stairs shall be an enclosed stair tower of fire-resistive construction and in addition thereto there may be used as a fire escape a mechanically operated device suitable for use as a means of escaping from windows and which shall consist of a steel cable lifebelt and mechanical brake which is automatically put into action by the presence of weight at the end of the cable Where the department finds after proper investigation that in buildings erected prior to the passage of this act the internal ways of egress herein provided for cannot be installed it may direct that such means of egress be provided as will in its judgment to better advantage carry out the intent and purpose of this section The Department of Labor and Industry may order fire walls [or] smoke barriers [or both] additional fireproofing or the enclosure of vertical openings to be built in buildings already erected or which may hereafter be erected where in its judgment the erection of such fire walls [or] smoke barriers additional fireproofing or the enclosure of vertical openings is necessary to the reasonable safe protection of the occupants The ways of egress shall be free from obstruction lighted and ready for instant use at all times Fire escapes now in use of hereafter erected shall be painted at least once a year and be kept in safe condition and up to such standard requirements as may be specified by the Department of Labor and Industry The means of egress for special purpose buildings shall be approved by the Department of Labor and Industry

Section 4 Section five of said act as amended by the act approved the second day of May one thousand nine hun-



dred twenty-nine (P. L. 1523) is hereby further amended to read as follows

Section 5 Theatres Motion Picture Theatres and Places of Public Assembly In every theatre motion picture theatre and place of public assembly the construction of the building the exits from the stage dressing rooms and auditorium the type and location of exit lights and signs the width and location of aisles and the arrangement of seats the construction and use of projection rooms and the equipment contained therein the highest of ceilings and the ventilation of the auditorium the construction and type of proscenium walls arches and curtains drop curtains and sky borders and the amount type and location of fire preventing and extinguishing equipment for the stage dressing room projection rooms or other parts of the building shall be such as to provide reasonable and adequate protection for all persons who may assemble therein Neither on or about the stage auditorium balconies or galleries nor in any other part of the buildings covered by this section shall any inflammable or explosive oil or material be used or stored except when special permission is granted by the Department of Labor and Industry and in accordance with specifications set forth by the said department There shall be no smoking in any auditorium balcony or gallery of any theatre or motion picture theatre All electrical wiring and appliances in such buildings shall be installed in a safe manner and so maintained

In all buildings except schoolhouses normal schools academies and colleges hereafter erected or adopted for any of the purposes designated in this section the auditorium or gymnasium when used for public assembly shall not be located above or below the ground level Provided That the Department of Labor and Industry shall have the power to permit the auditorium to be located above or below the ground level when in its judgment the number width and arrangement of exits the seating capacity and the extent of use for such purposes render such auditorium or gymnasium free from additional hazard

The auditoriums or gymnasiums of schoolhouses normal schools academies and colleges hereafter erected and when used for public assembly shall not be placed above the first floor level nor below the grade level

Section 5 Section seven of said act as amended by the act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 996) is hereby further amended to read as follows

Section 7 Licensing of Projectionists Except in Cities of the First Class and Second Class No person shall be permitted to project any motion picture either theatrical or non-theatrical until he has obtained a license from the Department of Labor and Industry after passing an examination prescribed by the said department for which fees shall be charged as hereinafter provided and no person shall be permitted in any projection room during any performance except licensed projectionists apprentice projectionists the manager or owner of the theater or authorized officials of the Department of Labor and Industry Any license may be suspended or revoked for due cause but no license shall be revoked until the projectionists or apprentice projectionists has been granted a hearing before the Secretary of Labor and Industry The amendment providing for the licensing of projectionists in cities of the second class A to become effective as of the first day of January one thousand nine hundred fifty-two

Every application for examination as a projectionist shall be accompanied by a fee of two dollars (\$2.00) If the applicant is successful a certificate of competency and a license shall be issued upon payment of an additional fee of five dollars (\$5.00) for projectionists of theatrical or commercial motion pictures or fee of two dollars (\$2.00) for projectionists of non-theatrical motion pictures There shall be no examination fee required from apprentice projectionists but there shall be a license fee of three dollars (\$3.00) required the same to accompany application from the apprentice projectionist For the annual renewal of license for a theatrical or commercial projectionist there shall be a fee of five dollars (\$5.00)

charged the same to accompany the application for renewal of license and for non-theatrical projectionists the renewal fee shall be two dollars (\$2.00) The renewal fee for apprentice license shall be one dollar (\$1.00) All fees shall be paid to the Department of Labor and Industry and by the said department paid to the State Treasurer through the Department of Revenue for the use of the Commonwealth

Section 6 Section fifteen of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1016) is hereby further amended to read as follows

Section 15 Enforcement The provisions of this act shall apply to every building enumerated in this act including buildings owned in whole or in part by the Commonwealth or any political subdivision thereof and shall be enforced by the Secretary of Labor and Industry by and through his authorized representatives Provided That nothing in this act shall be construed as affecting building in cities of the first class and second class A or the licensing of projectionists in cities of the first class and second class and that duly appointed chiefs of fire departments shall be equally responsible with the Secretary of Labor and Industry for the enforcement of the provisions of this act and the regulations of the Department of Labor and Industry pertaining to the removal of obstructions to and maintenance of exits aisles passageways and stairways leading to or from exists in all buildings covered by this act and the inspection and maintenance of emergency lighting systems fire alarms and fire extinguishing apparatus

For the purpose of enforcing the provisions of this act all the officers charged with its enforcement shall have the power to enter any of the buildings or structures enumerated in section two of this act and no person shall hinder or delay or interfere with any of the said officers in the performance of his duty nor refuse information necessary to determine whether the provisions of this act and the rules and regulations herein provided for are or will be complied with

Section 7 This shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wagner,
Berger,	Lane,	Peel,	Walker,
Blass,	Leader,	Probert,	Watkins,
Byrne,	Letzler,	Robinson,	Watson,
Chapman,	Mahany,	Rosenfeld,	Wolfe,
Crowe,	Mallery,	Ruth,	Wood,
Dent,	McCreesh,	Silvert,	Yosko,
DiSilvestro,	McGinnis,	Snowden,	Hare,
Fleming,	McMenamin,	Stevenson,	Wade,
Freed,	McPherson, Jr.	Stiefel,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1546, as follows:



An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws thereto" is hereby amended to read as follows

Section 504 Cafeterias The board of school directors in any school district shall have power to establish equip maintain and operate cafeterias in any of the schools under its jurisdiction whenever in its judgment it is deemed advisable to do so and shall have power to appoint such directors supervisors or other employees as are necessary and [fix] set and pay their salaries

The cost of housing [and] equipping and operating such cafeterias may be charged against the funds of the school district

The food served shall be sold to the public teachers and school employes of the cafeterias at such price as will not materially exceed the cost of operation [and will pay the cost of maintaining the cafeterias]

It shall be legal for boards of school directors to authorize the proper school employe to purchase perishable food supplies for cafeterias without [advertisements] advertising for bids

There shall be a separate cafeteria fund and all payments from said fund shall be made upon a special order drawn by the school employe authorized to purchase food supplies Said employe shall present each month to the board of directors for approval a statement of receipts and expenditures

The accounts shall be subject to [audit] examination by the auditors of the school district in like manner as other accounts of the school district [are audited] Any balance of funds accruing from the operation of the cafeteria must be used only for the improvement or maintenance of the cafeteria and may not be used for other purposes

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of

Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1553, as follows:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by increasing the fees charged by the Pennsylvania Securities Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension or registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-one (P. L. 317) is hereby further amended to read as follows

Section 27 The commission shall charge and collect the following fees and shall daily pay all fees received into the State Treasury through the Department of Revenue

(a) For the filing of any original or renewal application the sum of ten dollars (\$10)

(b) For each registration certificate of a dealer or investment adviser whether on an original or a renewal application [forty dollars (\$40)] sixty dollars (\$60) except as hereinafter provided

(c) For each registration certificate of a salesman or



solicitor whether on an original or renewal application [ten dollars (\$10)] fifteen dollars (\$15)

(d) For each registration certificate of a dealer or investment adviser issued after the thirtieth day of June of any year [twenty dollars (\$20)] thirty dollars (\$30)

(e) For each amended registration certificate twenty dollars (\$20)

(f) For the filing of a notice of a proposed change in a dealer's or investment adviser's plan of business twenty dollars (\$20)

(g) For each duplicate of a registration certificate of a dealer or investment adviser twenty dollars (\$20)

[(h) For each duplicate of an amended registration certificate of a dealer or investment adviser five dollars (\$5)]

For copies of any papers filed in the office of the commission or for the certification thereof for transcripts of testimony taken at hearings before the commission for the preparation of records of proceedings before the commission and for issuing subpoenas and summons the commission shall charge such fees as it shall by general rule or regulation prescribe Provided however That the provisions of this section shall not prohibit the commission from issuing free of charge copies or records to other states or to the United States or any of their agencies

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1566, as follows:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school district of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to

the court of quarter sessions and to the Supreme Court and Superior Court" by authorizing financially handicapped and distressed school districts to levy additional taxes with certain limitations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns township of the first class school districts of the second class school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 898) is hereby further amended to read as follows

Section 1 \* \* \* \* \*

C Over-all Limit of Tax Revenues The aggregate amount of taxes imposed by enactment of an ordinance or resolution by any political subdivision under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision at the time of the said enactment by ten (10) mills in cases of cities of the second class cities of the second class A cities of the third class boroughs towns and townships of the first class and by fifteen (15) mills in cases of school districts of the second class third class and fourth class Provided That the aggregate amount of taxes imposed by any financially handicapped or distressed school district under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying fifteen (15) mills by the latest total market valuation of real estate in such district as certified by the State Equalization Board

Section 2 The provision of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,



The Senate proceeded to the third reading and consideration of House Bill No. 1567, as follows:

An Act to amend Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017)

#### Section 672 Tax Levy Limitations \* \* \* \* \*

(b) Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein (1) to pay the minimum salaries and increments of the teaching and supervisory staff provided for herein and (2) to pay rentals due the State Public School Building Authority Neither of said taxes shall be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the millage fixed or limited by this section Provided That in districts of the fourth class the tax herein authorized to pay minimum salaries and increments together with all other school taxes except taxes to pay rentals due the State Public School Building Authority levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and the tax to pay rentals due the State Public School Building Authority together with the maximum rate permitted by this section for purposes other than to pay minimum salaries and increments shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and in cases of emergency with the approval of the superintendent of Public Instruction An additional five (5) mills to provide for obligations due the State Public School Building Authority under a contract previously entered into

In financially handicapped and distressed school districts board of school directors of such districts are authorized to levy an additional tax of ten (10) mills on each dollar of the total assessment of all property assessed and certified for taxation provided however that the following conditions and provisions are complied with the Department of Public Instruction shall determine (1) by investigation that the district is financially handicapped and distressed (2) that all taxable property in the district has been levied upon (3) that all other taxes available to the district and deemed advisable by the Superintendent of Public Instruction have been utilized (4) that the district has complied with economical standards set forth by the Department of Public Instruction as determined prior to January 1 1952 including (a) that the ratio of teachers to pupils shall not exceed one to twenty-five (b) that the cost of administration and operation shall not exceed the average of districts of the same class within the same county and shall be in compliance with good business practices

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Proport,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1581, as follows:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" is hereby amended to read as follows

Section 8 There shall be received into the institution indigent [orphans'] orphan boys or other deserving boys from the State of Pennsylvania [under the age of fourteen] above the age of fifteen years whose admission may be applied for under such regulations as the Board of Trustees may adopt In considering such admission no preference shall be shown on account of race or color or religion [Proper provisions shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training and the elements of farming and such other branches as may be deemed requisite for a good English education] The course of instruction shall be the equivalent of a four year public high school course and shall include (1) vocational education of less than college grade for the purpose of fitting pupils to pursue effectively a recognized profitable employment and (2) evening or other classes providing such instruction for persons seventeen years of age or over who have left full-time school

Section 2 Said act is hereby amended by adding after Section 8 thereof a new section to read as follows

Section 8.1 In addition to resident students the board of trustees may admit for study at the school part-time or full-time nonresident students and shall fix and charge tuition rates for such nonresident students All money collected as tuition by the institution shall be paid into the General Fund and credited to the appropriations made to the institution



And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1585, as follows:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into

agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefore authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" is hereby amended to read as follows

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of a county of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of such person or persons as the Authority may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth or its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs In order to reimburse the General Fund appropriation to the Department of Revenue for costs incurred by the Department of Revenue in making such examination or examinations the Authority shall be billed by the Department of Revenue from time to time as such examination or examinations are made upon a cost basis at such amounts as the Department of Revenue with approval of the Executive Board shall determine and such amounts shall be paid by the Authority to the Department of Revenue and shall be by it paid into the General Fund of the State Treasury and credited to the General Fund appropriation of the Department of Revenue

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1587, as follows:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" is hereby amended to read as follows

Section 8 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the county having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth and its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking

funds investments and any other matters relating to its finances operation and affairs In order to reimburse the General Fund appropriation to the Department of Revenue for costs incurred by the Department of Revenue in making such examination or examinations the Authority shall be billed by the Department of Revenue from time to time as such examination or examinations are made upon a cost basis at such amounts as the Department of Revenue with approval of the Executive Board shall determine and such amounts shall be paid by the Authority to the Department of Revenue and shall be by it paid into the General Fund of the State Treasury and credited to the General Fund appropriation of the Department of Revenue

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1589, as follows:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of



Pennsylvania creating a State Public School Building Authority as a body corporate and politic with powers to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" as amended by the act approved the twentieth day of April one thousand nine hundred forty-nine (P. L. 636) is hereby further amended to read as follows

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America or of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of other person or persons as it may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth and its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs In order to reimburse the General Fund appropriation to the Department of Revenue for costs incurred by the Department of Revenue in making such examination or examinations the Authority shall be billed by the Department of Revenue from time to time as such examination or examinations are made upon a cost basis at such amounts as the Department of Revenue with approval of the Executive Board shall determine and such amounts shall be paid by the Authority to the Department of Revenue and shall be by it paid into the General Fund of the State Treasury and credited to the General Fund appropriation of the Department of Revenue All moneys of the Authority from whatever source derived except such part thereof as may be required to pay the administrative and other costs of operating the Authority as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due (2) the principal of the bonds as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance of bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds then outstanding may be applied to the purchase or redemption of bonds All bonds so pur-

chased or redeemed shall forthwith be cancelled and shall not again be issued

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1607, as follows:

**An Act providing for the marketing of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor**

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act "Liquefied Petroleum Gas" shall mean and include any material which is composed predominately of any of the following hydrocarbons or mixtures of the same propane propylene butanes (normal butane or isobutane) and butylenes

"Department" shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania

"Establishment" shall mean any room building or place within this Commonwealth where persons are employed or permitted to work for compensation of any kind to whomever payable and any place of public assembly or business to which the public has access and shall include homes apartments private dwellings or other places as designated by the department

"Person" shall mean any individual firm partnership unincorporated association corporation or municipality and shall include the Commonwealth

"Place of Public Assembly" shall mean any building or portion thereof designed intended and used for occupation by persons for purposes of entertainment instruction or amusement and shall include churches

"School" shall mean any building or portion thereof



where persons assemble for purposes of education and shall include public and private schools academies colleges and universities

Wherever the singular is used in this act it shall be construed to include the plural and wherever the masculine gender is used it shall be construed to include the feminine and neuter

Section 2 No person firm or corporation other than the owner and those authorized by the owner so to do shall sell fill refill deliver or permit to be delivered or use in any manner any liquefied petroleum gas container or receptacle for any gas compound or for any other purpose

Section 3 The Department of Labor and Industry shall make promulgate and enforce regulations setting forth minimum general standards covering the design installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases and specifying the odorization of said gases Said regulations shall be such as are reasonably necessary for the protection of the health welfare and safety of the public and persons using such materials and shall be in substantial conformity with the generally accepted standards of safety concerning the same subject matter Such regulations shall be adopted by the Department of Labor and Industry only after a public hearing thereon It is hereby declared that regulations in substantial conformity with the published standards of the National Fire Protection Association for the design installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases shall be deemed to be in substantial conformity with the generally accepted standards of safety concerning the same subject matter

Section 4 It shall be unlawful for any person firm association or corporation on and after the effective date of this act to violate any of the provisions hereof or of the regulations of the Department of Labor and Industry made pursuant hereto

Section 5 No municipality or any other political subdivision shall adopt or enforce any ordinance or regulation in conflict with the provisions of this act or with the regulations promulgated under section two of this act

Section 6 Prosecutions for violations of the provisions of this act or the rules and regulations of the department may be instituted by the department and shall be in the form of summary proceedings before an alderman magistrate or justice of the peace Upon conviction after a hearing the penalties herein provided for shall be imposed and shall be final unless an appeal be taken to a court of proper jurisdiction in the manner prescribed by law

Section 7 Any person who shall violate any of the provisions of this act or the rules and regulations of the department as herein provided for shall be penalized to pay a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) or in default of payment thereof to imprisonment for a period of not less than one (1) month nor more than three (3) months

Section 8 All fines collected under this act shall be forwarded to the Department of Labor and Industry which shall transmit the same to the State Treasury through the Department of Revenue

Section 9 The provisions of this act are severable and in the event that any provisions thereof should be declared unconstitutional it is hereby declared to be the legislative intent that the remaining portions would have been enacted notwithstanding such judicial determination of the invalidity of any particular provision or provisions in any respect

Section 10 All acts and parts of acts general local or special and inconsistent with or supplied by this act are hereby repealed except the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) as amended by the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 912) the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 166) and the act approved the twentieth day of June one thousand nine

hundred forty-seven (P. L. 716) These acts shall be administered jointly as their provisions may apply

Section 11 This act shall become effective the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Proport,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silver,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1640, as follows:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 1403 Place of Meeting for Computation of Votes Notice Papers to Be Prepared Assistants to Be Sworn

\* \* \* \* \*

(b) If any member of the county board of any county shall be a candidate for any nomination or election to public office he shall not act as a member of said board for the computation and canvassing of returns but the other members if qualified shall act and in case in any county there are not at least a majority of the members of said board so qualified two (2) or more judges of the



court of common pleas shall be designated by said court to act as a return board provided that neither of them is a candidate for any nomination or election to public office and if there shall be only one judge of such court in such county or if less than two (2) judges are qualified and able to act in such county any judge who is qualified may act alone and if there be none qualified the prothonotary of such county shall act as the return board and if the prothonotary shall be a candidate for any nomination or election to any public office then the sheriff of the county shall act as the return board and if the sheriff shall be a candidate for any nomination or election to any public office then the president judge of the court of common pleas in such county shall make a written request to the Chief Justice of the Supreme Court for the assignment of a judge from another judicial district who shall act as the return board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silver,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1641, as follows:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Article V subsection (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after Section 599 thereof a new section to read as follows

Section 599-A Special School Police The board of township supervisors by resolution may appoint special school police who shall have the duty of controlling and directing traffic at or near schools and who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all the power of local police officers Such police shall serve at the pleasure of the board of township supervisors and shall not come within the civil service provisions of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silver,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1648, as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 603 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 603 [Spring] General Primary Candidates to Be Nominated and Party Officers to Be Elected There shall be a [Spring] General primary preceding each general election which shall be held on the third Tuesday of May in all even-numbered years except in the year of the nomination of a President of the United States in which year the [Spring] General primary shall be held on the fourth Tuesday of April Candidates for all offices to be filled at the ensuing general election shall be nominated at the [Spring] General primary Delegates and alternate



delegates to National party conventions members of State committees and such other party committeemen and officers including members of the National committee as may be required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at the [Spring] General primary The vote for candidates for the office of President of the United States as provided for by this act shall be cast at the [Spring] General primary

Section 2 Sections 604 904 and 906 of said act as last amended by the act approved the sixth day of March one thousand nine hundred fifty-one (P. L. 3) are hereby further amended to read as follows

Section 604 [Summer] Municipal Primary Officers to be Nominated There shall be a [Summer] Municipal primary preceding each municipal election which shall be held on the [fourth] third Tuesday of [July] May in all odd-numbered years Candidates for all offices to be filled at the ensuing municipal election shall be nominated at the [Summer] Municipal primary

Section 904 Municipal Clerks and Party Chairmen to Furnish Information as to Offices to be Filled To assist the respective county boards in ascertaining the offices to be filled it shall be the duty of the clerks or secretaries of the various cities boroughs towns townships school districts and poor districts with the advice of their respective solicitors on or before the twelfth Tuesday preceding the [Summer] Municipal primary to send to the county boards of their respective counties a written notice setting forth all city borough town township school district and poor district offices to be filled in their respective subdivisions at the ensuing municipal election and for which candidates are to be nominated at the ensuing primary It shall also be the duty of the chairman of the State committee of each political party to forward to the Secretary of the Commonwealth and to the respective county boards on or before the twelfth Tuesday preceding the [Spring] General primary a written notice setting forth the number of delegates and alternate delegates to the National convention of such party who are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates who are to be elected at said primary in such county or in any district within such county or of which it forms a part The said notice shall also set forth the number of members of the National committee if any who under the National party rules are to be elected at the said primary in the State at large and the number of members of the State committee to be elected at the said primary in such county or in any district or part of a district within such county It shall also be the duty of the chairman of the county committee and in cases where a city is coextensive with a county the chairman of the city committee of each party on or before the twelfth Tuesday preceding the [Spring] General primary to send to the county board of such county a written notice setting forth all party offices to be filled in the county at the ensuing primary

Section 906 Publication of Notice of Officers to be Nominated and Elected Beginning not earlier than eleven weeks nor later than ten weeks before and regular [Spring or Summer] General or Municipal primary the county board of each county shall publish in newspapers as provided by Section 106 of this act a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary and the number of delegates and alternate delegates who are to be elected at the said primary in said county or in any district of which said county or part thereof forms a part and also setting forth the names of all public offices for which nominations are to be made and the names of all party offices including that of members of the National committee if any and State committee for which candidates are to be elected at said primary in said county or in any district of which such county or part thereof forms a part or in the State at large Said notice shall contain the date of the primary and shall be published

once each week for two successive weeks in counties of the first and second class and once in all other counties

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, we are about to vote on House Bill No. 1648, is that correct?

The PRESIDING OFFICER. That is correct.

Mr. BARR. Mr. President, if I remember correctly in my perusal of this bill, this changes the primary elections to April and May; April the Presidential Election and May the Gubernatorial Election, and also for all municipal elections.

Mr. President, I would like to know if someone can tell me the reason for this bill. First of all, I do not think a fellow running for a borough or township commissioner should have to campaign from March until November. Is there anyone on the other side who can advise me why we need this?

Mr. WALKER. Mr. President, may I offer my somewhat limited service to my distinguished colleague from Allegheny County?

Mr. BARR. You may.

Mr. WALKER. Mr. President, will the gentleman repeat his interrogatory, please?

Mr. BARR. Can you tell me the reason for changing the date of the primary for municipal elections to the May month?

Mr. WALKER. Mr. President, the explanation that was given to me I will be very happy to give to the gentleman for whatever it is worth. My understanding of it is that instead of having primaries in the fall, that is in September, and the general elections in November, they tried to establish some uniformity in the primary elections, so that they would have the opportunity of presenting the primary ballots and the general election ballots to the absentee soldier voters. If the gentleman will recall, in the 1951 elections we had a very bad situation where we crowded them together and we picked out sort of a compromise month, the month of July, for the primary, which was the earliest that you could have it, and the latest that you could have it in order to furnish the ballots to the applicants who were in military service.

Now, Mr. President, the Election Bureau has figured out that this would be the very best they could do in order to give them the opportunity of mailing out primary ballots and having the returns come in, prepare the general election ballots, send them out and then get the returns from the absentee soldier vote.

Mr. BARR. It means also then, Mr. President, that a person cannot change his political affiliations for a full six months period in any one year. Is that correct?

Mr. WALKER. I think that would be correct, Senator. Under the present law you cannot change your registration between the primary day and the general election day.

Mr. BARR. Are you of the opinion that we are going to be continually at war, that we have to have a military ballot every year?



Mr. WALKER. Mr. President, I wish I could answer that question. I have a couple of boys growing up, and I am scared to death, too.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—46

Bane,	Hare,	Meade,	Taylor,
Barr,	Holland,	Neff,	Toole,
Barrett,	Kephart,	Pechan,	Wagner,
Berger,	Kessler,	Peelor,	Walker,
Blass,	Lane,	Propert,	Watkins,
Byrne,	Leader,	Robinson,	Watson,
Chapman,	Letzler,	Rosenfeld,	Wolfe,
Crowe,	Mahanay,	Ruth,	Wood,
Dent,	Mallery,	Silvert,	Yosko,
DiSilvestro,	McCreesh,	Snowden,	Wade,
Fleming,	McGinnis,	Stevenson,	Presiding Officer
Freed,	McPherson, Jr.	Stiefel,	

## NAYS—1

McMenamin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1660, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways

peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby further amended by adding after Section 829 a new section to read as follows

Section 830 Vehicles and Trailers Loaded with Logs It shall be unlawful to operate on any highway or street in this Commonwealth any motor vehicle commercial motor vehicle or truck tractor or any motor vehicle commercial motor vehicle or truck tractor in combination with a trailer or semi-trailer and loaded with logs of any size unless the logs are securely fastened with at least three binders chains or straps

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten days

Section 2 The provisions of this act shall become effective thirty days after its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1671, as follows:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242)



entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 902 Certifications of Reports of Viewers Ordinances Petitions Agreements and Resolutions Laying Out or Vacating Public Roads Upon the confirmation by the court of quarter sessions of the report of any jury of view laying out or vacating a public road it shall be the duty of the clerk of said court to immediately certify a copy of said report with the accompanying draft and the action of the court on the report of the viewers to the department For such services the clerk of the court shall receive from the department the sum of three dollars and fifty cents (\$3.50) for each certification

Upon the approval of any petition or upon the filing with the clerk of the court of quarter sessions any ordinance agreement or resolution laying out or vacating a public road in a second class township it shall be the duty of the township supervisors to immediately submit a copy of said petition ordinance agreement or resolution with the accompanying draft and the final action on each such matter to the department

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Tool,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peel,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1680, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction—

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of Section 6 of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as added by the act

approved the sixth day of July one thousand nine hundred fifty-one (Act No. 205) is hereby amended to read as follows

Section 6 The court hereby created shall have jurisdiction

\* \* \* \* \*

(1) In all cases of appeal from decisions of the receiver of school taxes or school treasurer in the administration and enforcement of the act of Assembly imposing a mercantile license tax for school purposes in school districts of the first class A and all cases of appeal from decisions of collectors of mercantile taxes authorized by an act of Assembly and imposed by any political subdivision within the territorial limits of the jurisdiction of the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Hare,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peel,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### SENATE BILL No. 415 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WAKER. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 415 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 415, entitled:

An Act authorizing the establishment in the Pennsylvania State College, through the extension services of said institution an educational program in industrial and labor relations, stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment, and defining its powers and duties and making an appropriation therefor.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?



Mr. WOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 9, page 5, lines 7 and 8, by striking out the words "two hundred fifty thousand dollars (\$250,000)" and inserting in lieu thereof "one hundred thousand dollars (\$100,000)"; Amend Sec. 9, page 5, lines 9 to 17 inclusive, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WOOD. Mr. President, I ask unanimous consent that Senate Bill No. 415, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Judiciary General, reported as committed, Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds where the acknowledgment of such deed or deeds was defective in any respect, or sale thereof not legally returned, if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments, and return duly made at a subsequent term.

### BILL INTRODUCED AND REFERRED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART (By Request) read in place and presented to the Chair Senate Bill No. 911, entitled:

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled as amended "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the first, second, second A and third classes, boroughs, and townships of the first class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problems, and to establish a permanent coordinate system of parking facilities and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with, and to accept grants from, the Federal Government, State, political subdivisions of the State or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates," by defining the rights of lessees of parking facilities; extending the power to lease parking facilities and to exchange properties; authorizing temporary bonds; limiting elig-

ibility and removal of board members; and further providing for acquiring property by eminent domain

Which was committed to the Committee on Local Government.

### HOUSE BILL No. 620 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 620 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 620, as follows:

An Act to amend clause (b) of section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor Stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 207 of the Act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor Stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" is hereby amended to read as follows

Section 207 General Powers of Board Under this act the board shall have the power and its duty shall be

\* \* \* \*

(b) To control the manufacture possession sale consumption importation use transportation and delivery of liquor alcohol and malt or brewed beverages in accordance with the provisions of this act and to fix the wholesale and retail prices at which liquors and alcohol shall be sold at Pennsylvania Liquor Stores Provided That in fixing sale prices the board shall not give any preference or make any discrimination as to classes brands or otherwise except where special sales are deemed necessary to move unsaleable merchandise or except where the addition of a service or handling charge to the fixed sales price of any



merchandise in the same comparable price bracket regardless of class brand or otherwise is in the opinion of the board required for the efficient operation of the state store system. The board shall require each Pennsylvania manufacturer and each nonresident manufacturer of liquors other than wine selling such liquors to the board which are not manufactured in this Commonwealth to make application for and be granted a permit by the board before such liquors not manufactured in this Commonwealth shall be purchased from such manufacturer. Each such manufacturer shall pay for such permit a fee which in the case of a manufacturer of this Commonwealth shall be equal to that required to be paid if any by a manufacturer or wholesaler of the store territory or country of origin of the liquors for selling liquors manufactured in Pennsylvania and in the case of a nonresident manufacturer shall be equal to that required to be paid if any in such state territory or country by Pennsylvania manufacturers doing business in such state territory or country. In the event that any such manufacturer shall in the opinion of the board sell or attempt to sell liquors to the board through another person for the purpose of evading this provision relating to permits the board shall require such person before purchasing liquors from him or it to take out a permit and pay the same fee as hereinbefore required to be paid by such manufacturer. All permit fees so collected shall be paid into the State Stores Fund. The board shall not purchase any alcohol or liquor fermented distilled rectified compounded or bottled in any state territory or country the laws of which result in prohibiting the importation therein of alcohol or liquor fermented distilled rectified compounded or bottled in Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Beane,	Hare,	McMenamin,	Snowden,
Barr,	Holland,	McPherson, Jr.	Stevenson,
Barrett,	Kephart,	Meade,	Stiefel,
Berger,	Kessler,	Neff,	Taylor,
Blass,	Lane,	Pechan,	Toole,
Byrne,	Leader,	Peelor,	Wagner,
Chapman,	Letzler,	Propert,	Walker,
Crowe,	Mahanay,	Robinson,	Watkins,
Dent,	Mallery,	Rosenfeld,	Wolfe,
DiSilvestro,	McCreesh,	Ruth,	Yosko,
Fleming,	McGinnis,	Silvert,	Wade,
Freed,			Presiding Officer.

#### NAYS—2

Watson, Wood.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 959 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President I call up from the Third Reading Postponed Calendar House Bill No. 959 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 959, as follows:

An Act to amend the act approved the twentieth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania liquor control board providing for the establishment and operation of State Liquor Stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers distributors and importing distributors.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (b) and (c) of Section 431 of the Act approve dthe twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting and manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcohol liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania liquor control board providing for the establishment and operation of state liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" are hereby amended to read as follows

Section 431 Manufacturers' Distributors' and Importing Distributors' Licenses \* \* \* \* \*

(b) The board shall issue to any reputable person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a distributor's or importing distributor's license for the place which such person desires to maintain for the sale of malt or brewed beverages not for consumption on the premises where sold and in quantities of not less than [a case of] twenty-four containers each container holding seven fluid ounces or more or [a case of] twelve containers each container holding twenty-four fluid ounces or more and such containers to be the original containers as prepared for the market by the manufacturer at the place of manufacture such license shall authorize the holder thereof to sell or deliver malt or brewed beverages in quantities above specified anywhere within the Commonwealth of Pennsylvania which in the case of distributors have been purchased only from persons licensed under this act as manufacturers or importing distributors and in the case of importing distributors have been purchased from manufacturers or persons outside this Commonwealth engaged in the legal sale of malt or brewed beverages or from manufacturers or importing distributors licensed under this article

(c) The aforesaid licenses shall be issued only to reputable individuals partnerships and associations who are or whose members are citizens of the United States and have to for two years prior to the date of their applications been residents of the Commonwealth of Pennsyl-



vania or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania Such licenses shall be issued to corporations duly organized or registered under the laws of the Commonwealth of Pennsylvania only when it appears that all of the officers and directors of the corporation are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application and that at least fifty-one per centum of the capital stock of such corporation is actually owned by individuals who are citizens of the United States and have been resident of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application provided that stock inherited by an individual nonresident from a deceased resident owner thereof and stock held by an individual or corporate trustee for the benefit of any individual who is a beneficiary of a trust which is valid under the laws of this Commonwealth shall for the purposes of this subsection be considered as being owned by a resident of the Commonwealth of Pennsylvania so long as it is actually owned by such individual nonresident inheritor or held by such trustee

Section 2 of said act is hereby amend by adding at the end thereof a new subsection to read as follows

Section 437 Prohibitions Against the Grant of Licenses

\* \* \* \* \*

(f) No new distributor's or importing distributor's license shall hereafter be granted by the board in any county of the Commonwealth where the combined number of distributor and importing distributor licenses exceeds one license for each ten thousand inhabitants or fraction thereof of the county in which the license is to be issued Provided That a combined total of five such licenses may be granted in any county of the Commonwealth

Nothing in this subsection shall be construed as denying the right of the board to renew or to transfer existing distributor's or importing distributor's licenses or to exchange a distributor's license for an importing distributor's license or to exchange an importing distributor's license for a distributor's license upon adjustment of the applicable fee notwithstanding that the number of such licensed places in the county shall exceed the limitation hereinbefore prescribed Provided That no distributor's license or importing distributor's license shall be transferred from one county to another county so long as the quota is filled in the county to which the license is proposed to be transferred

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—45

Bane,	Hare,	McMenamin,	Stevenson,
Barr,	Holland,	McPherson, Jr.	Stiefel,
Barrett,	Kephart,	Meade,	Toole,
Berger,	Kessler,	Neff,	Taylor,
Blass,	Lane,	Pechan,	Wagner,
Byrne,	Leader,	Peelor,	Walker,
Chapman,	Letzler,	Probert,	Watkins,
Crowe,	Mahany,	Robinson,	Watson,
Dent,	Mallery,	Rosenfeld,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,			Presiding Officer

#### NAYS—2

Ruth, Wood,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### HOUSE BILL No. 1030 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1030 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1030, as follows:

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" as amended by the act approved the eleventh day of August one thousand nine hundred forty-one (P. L. 911) is hereby further amended to read as follows

Section 643 Employment of Minors in Place where Liquors are Sold or Given Away and Elsewhere Whoever having the care custody or control of any minor under the age of eighteen (18) years permits the employment of or being a proprietor or manager employs or permits such child to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith by any passage-way or entrance or whoever employs or permits any such minor to deliver liquor or malt and brewed beverages or being the proprietor or manager of any dance house theatre or place of entertainment employs any minor under the age of fifteen (15) years is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars (\$100) and in default in the payment of such fine and costs shall be sentenced to imprisonment not exceeding three (3) months

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—39

Bane,	Kephart,	Meade,	Stevenson,
Barr,	Kessler,	Neff,	Stiefel,
Barrett,	Lane,	Pechan,	Taylor,
Berger,	Leader,	Peelor,	Toole,
Byrne,	Letzler,	Probert,	Wagner,
Chapman,	Mallery,	Robinson,	Walker,
Fleming,	McCreesh,	Rosenfeld,	Watkins,
Freed,	McGinnis,	Ruth,	Yosko,
Hare,	McMenamin,	Silvert,	Wade,
Holland,	McPherson, Jr.,	Snowden,	Presiding Officer

#### NAYS—2

Watson, Wood.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 1039 CALLED UP FROM THIRD  
READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1039 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1039, as follows:

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" are hereby amended to read as follows

Section 401 Authority to Issue Liquor Licenses to Hotels Restaurants and Clubs (a) Subject to the provisions of this act and regulations promulgated under this act the board shall have authority to issue a retail liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same and also malt or brewed beverages to guests patrons or members for consumption on the hotel restaurant or club premises Such licensees other than clubs shall be permitted to sell bottled liquor for consumption off the premises subject to the restrictions hereinafter provided malt or brewed bev-

erages for consumption off the premises where sold in quantities of not more than one hundred forty-four fluid ounces in a single sale to one person Such licenses shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses respectively No person who holds either by appointment or election any public office which involves the duty to enforce any of the penal laws of the United States of America or the penal laws of the Commonwealth of Pennsylvania or any penal ordinance or resolution of any political subdivision of this Commonwealth shall be issued any hotel or restaurant liquor license nor shall such a person have any interest directly or indirectly in any such license

(b) The board may issue to any club which caters to groups of non-members either privately or for functions a catering license and the board shall by its rules and regulations define what constitutes catering under this subsection

Section 406 Sales by Liquor Licensees Restrictions (a) Every hotel restaurant or club liquor licensee may sell liquor and malt or brewed beverages by the glass open bottle or other container and in any mixture for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons and in the case of hotels to guests and in the case of clubs to members in their private rooms in the hotel or club No club licensee nor its officers servants agents or employees other than one holding a catering license shall sell any liquor or malt or brewed beverages to any person except a member of the club No club holding a catering license nor its officers servants agents or employees shall sell on Sunday to nonmembers any liquor or malt or brewed beverages In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor and malt or brewed beverages may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guest rooms in the hotel

(b) Hotel and restaurant licensees shall be permitted to sell liquor in bottles bearing the unbroken seal of the Pennsylvania Liquor Control Board not exceeding one quart to any one person in any one sale for consumption off the premises where sold but each such sale shall be lawful only during the period prescribed for sales by this act occurring after nine o'clock postmeridian on any day during which liquor may lawfully be sold liquor sold for consumption off the premises as herein provided shall be sold at a price exactly fifteen per centum (15%) above the retail price of the same brand of liquor at the Pennsylvania State Liquor Stores

(c) Hotel restaurant and public service liquor licensees their servants agents or employees may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any week day and until two o'clock antemeridian of the following week day and shall not sell on Sunday or after two o'clock antemeridian on any day on which a general municipal special or primary election is being held until one hour after the time fixed by law for closing the polls No club licensee or its servants agents or employees may sell liquor or malt or brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Bane,  
Byrne,  
Chapman  
Freed,  
Hare,

Kessler,  
Letzler,  
Mallery,  
McCreesh,  
McGinnis,

Neff,  
Propert,  
Robinson,  
Rosenfeld,  
Ruth,

Taylor,  
Toole,  
Wagner,  
Watkins,  
Yosko,



Holland,  
Kephart,McMenamin,  
Meade,Silvert,  
Stevenson,

Stiefel,

## NAYS—14

Barr,  
Barrett,  
Berger,  
Fleming,Lane,  
Leader,  
McPherson, Jr.,  
Pechan,Peelor,  
Snowden,  
Walker,  
Watson,Wood,  
Wade,  
Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 1060 CALLED UP FROM THIRD  
READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1060 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1060, as follows:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the person engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definitions of "eating place" "hotel" and "restaurant" in section 102 section 406 and subsection (c) of section 461 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt or brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" are hereby amended to read as follows

Section 102 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

\* \* \* \* \*

"Eating place" shall mean a premise where food [is

regularly and customarily] at the option of the proprietor is prepared and sold having a total area of not less than three hundred square feet available to the public in one or more rooms other than living quarters and equipped with tables and chairs accommodating thirty persons at one time

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations [and meals] and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests a public [dining] room or rooms operated by the same management accommodating at least thirty persons at one time [and a kitchen apart from the public dining room or rooms in which food is regularly prepared for the public] in which food at the option of the proprietor may be served to the public

\* \* \* \* \*

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation [and habitually and principally used for the purpose of providing food for the public the place to have] having an area within a building of not less than four hundred square feet equipped with tables and chairs accommodating at least thirty persons at one time where food at the option of the proprietor may be served to the public

Section 406 Sales by Liquor Licensees Restrictions (a) Every hotel restaurant or club liquor licensee may sell liquor and malt or brewed beverages by the glass open bottle or other container and in any mixture for consumption only in that part of the hotel or restaurant [habitually used for the serving of food to guests or patrons] which may be used as a public dining room and equipped with sufficient tables and chairs to accommodate at least thirty persons at one time and where food may at the option of the proprietor be served to the public and in the case of hotels to guests and in the case of clubs to members in their private rooms in the hotel or club No club licensee nor its officers servants agents or employees other than one holding a catering licensee shall sell any liquor or malt or brewed beverages to any person except a member of the club No club holding a catering license nor its officers servants agents or employees shall sell on Sunday to non-members any liquor or malt or brewed beverages In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor and malt or brewed beverages may be sold for consumption in that part of the restaurant [habitually used for the serving of meals to patrons] which is equipped with sufficient tables and chairs to accommodate at least thirty persons at one time and where food may at the option of the proprietor be served to the public and also to guests in private guest rooms in the hotel

(b) Hotel restaurant and public service liquor licensees their servants agents or employees may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any weekday and until two o'clock antemeridian of the following week day and shall not sell on Sunday or after two o'clock antemeridian on any day on which a general municipal special or primary election is being held until one hour after the time fixed by law for closing the polls No club licensee or its servants agents or employees may sell liquor or malt or brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day

Section 461 Limiting Number of Retail Licenses To Be Issued In Each Municipality

\* \* \* \* \*

(c) The word "hotel" as used in this section shall mean any reputable place operated by a responsible person of good reputation where the public may for a consideration obtain sleeping accommodations and which shall have the following number of bedrooms and requirements in each case at least one-half of the required number of bedrooms shall be regularly available to transient guests seven days weekly except in resort areas at least one-third of such bedrooms shall be equipped with hot and cold water a lavatory commode bathtub or shower and a clothes closet



and an additional one-third of the total of such required rooms shall be equipped with lavatory and commode

(1) In municipalities having a population of less than three thousand at least twelve permanent bedrooms for the use of guests

(2) In municipalities having a population of three thousand and more but less than ten thousand inhabitants at least sixteen permanent bedrooms for the use of guests

(3) In municipalities having a population of ten thousand and more but less than twenty-five thousand inhabitants at least thirty permanent bedrooms for the use of guests

(4) In municipalities having a population of twenty-five thousand and more but less than one hundred thousand inhabitants at least forty permanent bedrooms for the use of guests

(5) In municipalities having a population of one hundred thousand and more inhabitants at least fifty permanent bedrooms for the use of guests

(6) A public [dining] room or rooms operated by the same management accommodating at least thirty persons at one time [and a kitchen apart from the dining room in which food is regularly prepared for the public] in which food may at the option of the proprietor be served to the public

(7) Each room to be considered a bedroom under the requirements of this section shall have an area of not less than eighty square feet and an outside window

(8) The provisions of this subsection (c) shall not apply to hotel licenses granted prior to the first day of September one thousand nine hundred forty-nine or that have been granted on any application made and pending prior to said date nor to any renewal or transfer thereof or hotels under construction or for which a bona fide contract has been entered into for construction prior to said date. In such cases the provisions of section one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) shall continue to apply

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

#### POINT OF INFORMATION

Mr. WALKER. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of information.

Mr. WALKER. Mr. President, I desire to know how the gentleman from Philadelphia, Senator Kephart, is recorded as voting.

The PRESIDING OFFICER. The Clerk has advised that the gentleman from Philadelphia, Senator Kephart, is not recorded as having voted.

Mr. WALKER. Mr. President, I call the Chair's attention to the fact that the gentleman from Philadelphia was in his seat when the roll was called, and under the rules of the Senate must answer the roll call.

The PRESIDING OFFICER. The gentleman's point is well taken.

Mr. KEPHART. Mr. President, my silence was a silent protest against the whole package. As long as I am forced to vote, I will vote "aye," because the bills are all going to be passed anyhow.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—33

Bane,	Kessler,	Peelor,	Taylor,
Barr,	Letzler,	Probert,	Toole,
Barrett,	Mallery,	Robinson,	Wagner,
Byrne,	McCreesh,	Rosenfeld,	Walker,
Chapman,	McGinnis,	Ruth,	Watkins,
Freed,	McMenamin,	Silvert,	Yosko,
Hare,	Meade,	Stevenson,	Wade,
Holland,	Neff,	Stiefel,	Presiding Officer
Kephart,	Rechan,		

#### NAYS—7

Fleming,	Leader,	Snowden,	Wood,
Lane,	McPherson, Jr.	Watson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1085 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1085 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1085, as follows:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania liquor stores and the granting of malt and brewed beverage distributors licenses subject to local option and providing where tie vote occurs on local option question the status quo obtains

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 432 and 472 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipali-



ties and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" are hereby amended to read as follows

Section 432 Malt and Brewed Beverages Retail Licenses (a) Subject to the restrictions hereinafter provided in this act and upon being satisfied of the truth of the statements in the application that the premises and the applicant meet all the requirements of this act and the regulations of the board that the applicant seeks a license for a reputable hotel eating place or club as defined in this act the board shall in the case of a hotel or eating place grant and issue and in the case of a club may in its discretion issue or refuse the applicant a retail dispenser's license.

(b) In the case of hotels and eating places licenses shall be issued only to reputable persons who are citizens of the United States and have for two years been residents of the Commonwealth of Pennsylvania at the date of their application or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania all of whose officers and directors are citizens of the United States In the case of incorporated clubs licenses shall be issued only to those incorporated under the laws of Pennsylvania

(c) No retail dispenser's [license] licenses shall be granted or renewed upon their expiration in any municipality in which the electors shall vote as hereinafter provided [have voted] against the licensing therein of places where malt or brewed beverages may be sold for consumption on the premises where sold

(d) The board shall in its discretion grant or refuse any new license or the transfer of any license to a new location if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public playground or if such new license or transfer is applied for a place where the principal business conducted is the sale of liquid fuels and oil The board shall not issue new licenses except as herein otherwise provided in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application therefor is filed at least thirty days before the effective date of the license

(e) Every applicant for a new or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with the board in a conspicuous place on the outside of the premises or in a window plainly visible from the outside of the premises for which the license is applied a notice of such application in such form of such size and containing such provisions as the board may require by its regulations Proof of the posting of such notice shall be filed with the board

Section 472 Local Option In any municipality an election may be held on the date of the primary election immediately preceding any municipal election but not oftener than once in four years to determine the will of the electors with respect to the granting of liquor licenses to hotels restaurants and clubs [or] not oftener than once in four years with respect to the granting of licenses to retail dispensers of malt and brewed beverages not oftener than once in four years with respect to grantin of licenses to distributors or not more than once in four years with respect to the establishment operation and maintenance by the board of Pennsylvania Liquor Stores within the limits of such municipality under the provisions of this act Provided however Where an election shall have been held at the primary preceding a municipal election in any year another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election and provided further that an election on the question of establishing and operating a state liquor store shall be initiated only in those municipalities that shall have voted against the granting of liquor licenses and that an election on the question of granting wholesale distributor licenses shall be initiated only in those municipalities that shall have at a previous election voted against the granting of dispenser's licenses

Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting [either] any of said classes of licenses or the establishment of Pennsylvania Liquor stores the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at the primary immediately preceding the municipal election occurring at least sixty days thereafter Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing filing and adjudication of nomination petitions insofar as such provisions are applicable

When the question is in respect to the granting of liquor licenses it shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor in of	Yes	
	No	

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages it shall be in the following form

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the of	Yes	
	No	

When the question is in respect to the granting of licenses to distributors of malt or brewed beverages it shall be in the following form

Do you favor the granting of malt and brewed beverage distributor's licenses not for consumption on premises where sold in the of	Yes	
	No	

When the question is in respect to the establishment operation and maintenance of Pennsylvania Liquor Stores it shall be in the following form

Do you favor the establishment operation and maintenance of Pennsylvania Liquor Stores in the of	Yes	
	No	

In case of a tie vote [or if] the status quo shall obtain If a majority of the voting electors on any such question vote "yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs or malt and brewed beverage retail dispenser licenses or distributor's licenses for the sale of malt or brewed beverages shall be granted by the board or the board may establish operate and maintain Pennsylvania Liquor Stores as the case may be in such municipality as provided by this act but if a majority of the electors voting on any such question vote "no" then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality or if the negative vote is on the question in respect to the establishment operation and maintenance of Pennsylvania Liquor Stores the board shall not open and operate a Pennsylvania Liquor store in such municipality nor continue to operate a then existing Pennsylvania Liquor Store in



the municipality for more than two years thereafter or after the expiration of the term of the lease on the premises occupied by such store whichever period is less unless and until at a later election a majority of the voting electors vote "yes" on such question

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—33

Bane,	Letzler,	Peelor,	Taylor,
Barratt,	Mallery,	Propert,	Toole,
Chapman,	McCreesh,	Robinson,	Wagner,
Fleming,	McGinnis,	Rosenfeld,	Walker,
Freed,	McMenamin,	Silvert,	Watkins,
Hare,	McPherson, Jr.	Snowden,	Wood,
Kephart,	Meade,	Stevenson,	Wade,
Kessler,	Neff,	Stiefel,	Presiding Officer
Leader,	Pechan,		

#### NAYS—6

Barr,	Lane,	Watson,	Yosko,
Holland,	Ruth,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### HOUSE BILL No. 1100 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1100 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1100, as follows:

An Act to amend sections 464 and 471 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcoholic and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further defining the powers of courts on appeal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 464 and 471 of the act approved the

twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and for forfeitures providing for local option and repealing existing laws" are hereby amended to read as follows

Section 464 Hearings Upon Refusal of Licenses Renewals or Transfers Appeals The board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or any applicant for any malt or brewed beverage license other than a public service license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof In considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue any such license or to renew or transfer any such license may appeal or any church hospital charitable institution school or public playground located within three hundred feet of the premises applied for aggrieved by the action of the board in granting the issuance of any such license or the transfer of any such license may take an appeal limited to the question of such grievance within twenty days from date of refusal or grant to the court of quarter sessions or the county court of Allegheny County of the county in which the premises applied for is located Such appeal shall be upon petition of the aggrieved party who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice The said appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise The court shall hear the application de novo on questions of fact [administrative discretion] law and such other matters as are involved at such time as it shall fix of which notice shall be given to the board The court shall in its own discretion either sustain or over-rule the action of the board and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant The parties to the proceeding may within thirty days from the filing of the order or decree of said court appeal therefrom to the Superior Court



The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 471 Revocation and Suspension of Licenses Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws of any violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee within the scope of this article his omcers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the board's order during which time the licensee may take an appeal as provided for in this act When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action or penalty of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses Upon appeal the court so appealed to shall in the exercise of its discretion sustain reject alter or modify the findings conclusions and penalties of the board based on the findings of fact and conclusions of law as found by the court The aforesaid appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise The licensee or the board may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of a manufacturer of malt or brewed beverages the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension in the case of a liquor importer sacramental wine licensee and a malt or brewed beverage importing distributor thirty dollars (\$30) in the case of a distributor of malt or brewed beverages twenty dollars (\$20) for each day of suspension and in the case of a hotel restaurant and club liquor licensee and a retail malt or brewed beverage dispenser or transporter for hire ten, dollars (\$10) for each day of suspension No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days Where the court shall order a suspension it shall also direct the board to accept or reject an offer in compromise for all or a portion of the period

of suspension

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—40

Bane,	Kephart,	Meade,	Stevenson,
Barr,	Kessler,	Neff,	Stiefel,
Barrett,	Lane,	Pechan,	Taylor,
Berger,	Leader,	Peelor,	Toole,
Byrne,	Letzler,	Probert,	Wagner,
Chapman,	Mallery,	Robinson,	Walker,
Fleming,	McCreesh,	Rosenfeld,	Watkins,
Freed,	McGinnis,	Ruth,	Wood,
Hare,	McMenamin,	Silvert,	Yosko,
Holland,	McPherson, Jr.	Snowden,	Wade,
			Presiding Officer

#### NAYS—1

Watson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1196 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1196 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1196, as follows:

An Act to amend clause (15 of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (15) of the second paragraph of Sec-



tion 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" is hereby amended to read as follows

Section 493 Unlawful Acts Relative to Liquor Malt and Brewed Beverages and Licensees The term "licensee" when used in this section shall mean those persons licensed under the provisions of Article IV unless the context clearly indicates otherwise

It shall be unlawful

\* \* \* \* \*

(15) Cashing pay roll and Public Assistance checks for any licensee or his servants agents or employes to cash pay roll checks [except in accordance with board regulations] or to cash receive handle or negotiate in any way Public Assistance checks.

And said bill having been read at length the third time,  
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,		Presiding Officer

#### NAYS—1

Watson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### SECOND READING CALENDAR

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 623, on second reading, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments

sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 863, on second reading, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the disposition of fines

be recommitted to the Committee on Mines and Mining.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 875, on second reading, entitled:

An Act authorizing under certain conditions the erection



of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 881, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 883, entitled:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of May, one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations," by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and the payment of fees and costs in such cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 892, on second reading, entitled:

An Act to add subsection (d) to section 530 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by requiring that the Flag of the United States be flown or displayed at polling places on election days

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON FIRST READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" further regulating licensing and the sus-



pension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1246, on second reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1356, on second reading, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1357, on second reading, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties"

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages

upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an electric schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1664, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### REPORT FROM COMMITTEE

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 904, entitled:

An Act to amend the act, approved the twenty-fourth



day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mother's assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by authorizing the posting of lists containing the names, addresses and amounts of general assistance granted to all persons receiving general assistance.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WATKINS. Mr. President, I second the motion.  
The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 350, entitled:

An Act to further amend clause two of section 1709 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds where the acknowledgment of such deed or deeds was defective in any respect, or sale thereof not legally returned, if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments, and return duly made at a subsequent term.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to

cities of the third class and amending, revising and consolidating the law relating thereto," by permitting employees of school districts to serve as councilmen.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 895, entitled:

An Act to further amend Section 652 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the payment of expenses to members of recreation boards in counties of the third class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 904, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mother's assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by authorizing the posting of lists containing the names, addresses and amounts of general assistance granted to all persons receiving general assistance.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1727, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further providing for certain minimum and maximum pensions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, December 5, 1951, at 4 o'clock, p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:05 o'clock, p. m., Eastern Standard Time, until Wednesday, December 5, 1951, at 4 o'clock, p. m., Eastern Standard Time.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, DECEMBER 5, 1951.

No. 96.

## SENATE

WEDNESDAY, December 5, 1951.

The Senate met at 4 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor, in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray. Eternal God, who hast made us for Thyself so that our hearts are restless till they find rest in Thee, we thank Thee for Thy love that wilt not let us go, for Thy joy that seekest us through pain, and Thy light that followest us all the way. Thou art good and we praise Thee; Thou art so patient, and we trust Thee. Help us to draw deep of Thy goodness and patience this day.

Bless the Lord, O My soul, and all that is within me, bless His Holy Name. Bless the Lord O My Soul, and forget not all His benefits. In Jesus Name. Amen.

### JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. HARE, further reading was dispensed with, and the Journal was approved.

### APPOINTMENT OF COMMITTEE TO INVESTIGATE CHARGES MADE BY SENATOR HALUSKI

The PRESIDENT pro tempore. The Chair wishes to announce that pursuant to the resolution passed by the Senate yesterday relative to a public hearing with respect to remarks made by Senator John J. Haluska, the President pro tempore appoints the following committee. This resolution was adopted unanimously by the Republican Caucus.

The Chair appoints the following Members of that Committee: The gentleman from Potter, Senator Berger, Caucus Chairman will act as chairman of the Committee; the gentleman from Allegheny, Senator Walker; the gentleman from Luzerne, Senator Wood; the gentleman from Somerset, Senator Hare; the gentleman from Armstrong, Senator Pechan; the gentleman from Westmore-

land, Senator Dent; the gentleman from Allegheny, Senator Barr; the gentleman from Lawrence, Senator Neff; the gentleman from Fayette, Senator Bane; and the gentleman from Philadelphia, Senator Byrne.

The PRESIDENT pro tempore. The Chair invites the gentleman from Somerset, Mr. Hare, to the rostrum to preside.

THE PRESIDING OFFICER (Fred P. Hare) in the Chair.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 5, 1951.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 5, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Robert A. Brown, McCandless Twp., R. D. 12, Pittsburgh  
Eugene Connely, Penn Twp., 137 Ritzland Road, Pittsburgh.

Joseph Dowdell, 3548 Wakefield St., Pittsburgh.

#### CHESTER COUNTY

Frederick J. Hobson, Tredyffrin Twp., Wayne

#### DELAWARE COUNTY

Mrs. Ruth R. Roberts, Haverford Twp., Havertown

#### ERIE COUNTY

John H. Behringer, Lawrence Park Twp., Erie  
John T. Crowley, Millcreek Twp., Erie



## LYCOMING COUNTY

Mrs. Margaret P. Auchmuty, Loyalsock Twp., Montoursville

## MONTGOMERY COUNTY

A. Chas. Hohman, Bridgeport

## PHILADELPHIA COUNTY

William F. Kelly, 1847 Margaret St. Phila

## WESTMORELAND COUNTY

Mrs. Florence Falorio, Monessen

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. PEELOR. That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Leader,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,	Stevenson,	Hare,

Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## REPORTS FROM COMMITTEES

Mr. KESSLER, from the Committee on Education reported as committed, Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing attendance of school directors at meetings of educational or financial advantage to the district; and providing for the payment of their expenses.

He also, from the Committee on Education, reported as committed, Senate Bill No. 898, entitled:

An Act to amend Section 322 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further defining eligibility for the office of school director.

He also, from the Committee on Education, reported as committed, House Bill No. 1651, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of

the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties.

He also, from the Committee on Education, reported as committed, House Bill No. 1676, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time.

He also, from the Committee on Education, reported as committed, House Bill No. 1690, entitled:

An Act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employes' Retirement Board and Fund.

He also, from the Committee on Education, reported as committed, House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation on the board of directors of union and merged school districts.

He also, from the Committee on Education, reported as amended, Senate Bill No. 824, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof



and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/40) class and to receive the benefits thereof.

He also, from the Committee on Education, reported as amended, House Bill No. 1234, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the giving of treatments away from beauty culture shops and by students in beauty culture schools and permitting educational demonstrations on Sunday.

#### PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I am about to introduce a bill providing for a study commission on State finances and tax questions. The bill provides for the creation of a commission of nine persons to study all the functions of the Executive Branch of the government, the State Government, and submit a report to the 1953 Legislature.

Mr. President, the purpose of such a study as this is not only to effect all possible economies in the operation of our State Government, but to give the taxpayers assurance that every penny spent is being spent wisely. In the case of the Federal Government, approximately fifty per cent of the recommendations of the Hoover Commission, authorized several years ago, have already been approved. Statisticians tell us that full enactment and faithful execution of the complete list of recommendations could bring total savings of five billion dollars a year.

Mr. President, just as an illustration, this is more than the total cost of the Federal Government each year up to 1931. Naturally, it is impossible to estimate at this time a comparative savings that might accrue in Pennsylvania through the work of such a commission, but we do know that it holds the promise of returning to the taxpayers annual savings of many times the cost of the commission's work.

Mr. President, the commission's assignment, as defined in the bill, would be "to study the Executive Branch of the Government of the Commonwealth with a view toward recommending more efficient and economical methods of providing State services." To this end, it would seek out duplications of service and effort, recommend the abandonment, modification or consolidation of departments or offices as may be required in the interest of efficiency and economy. Perhaps no Session of the Legislature, at least in recent years, has so badly needed a clear picture of the financial situation of the State of Pennsylvania.

Mr. President, I believe the Members of the Budget Office and the Members of the Senate and the Members

of the House have made an honest effort and a sincere effort to work toward, first, finding the actual existing conditions and, second, the most practical solution. However, after more than eleven months in Session, when we have been confused with statements and re-statements, I think the results, while this has not been the only problem—the fiscal problem was not the only one confronting us—yet it has been the most contentuous one and, certainly, every Member of the Senate, yes, every Member of the Legislature, would welcome a study and know the true value that a commission of this kind could render to the taxpayers and to the Members of the Legislature.

Mr. President, I read in place and present to the Chair the following bill.

#### BILL INTRODUCED AND REFERRED

Mr. WADE read in his place and presented to the Chair Senate Bill No. 912, entitled:

An Act creating a Commission on Reorganization of the Executive Branch of the Commonwealth; providing for the membership of such Commission; prescribing its powers and duties, and making an appropriation.

Which was committed to the Committee on State Government.

#### HOUSE BILL No. 1698 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, in order to expedite the business of the Senate, I would like to ask unanimous consent of the Senate at this time to refer to the Senate Calendar in order to call a bill up out of order and have it recommitted for the purpose of discussing an amendment in a committee meeting, which will be held later today.

Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1698 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1698, on third reading, entitled:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties.

be recommitted to the Committee on Finance.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

#### PETITIONS AND REMONSTRANCES

Mr. YOSKO. Mr. President, a few months ago I introduced a bill that would direct the Auditor General to file copies of audit reports with the Senate Librarian.

Mr. President, according to the record, that bill passed the Senate and it passed the House, I think, on September 27. A check was made the other day to determine whether



or not the Governor had signed the bill, and I am informed that although it passed the House on September 27, it was not referred to the Governor's Office for either veto or approval, and I hope that if it was just an error or an omission on the part of somebody not to transmit that bill to the Governor, that when the House reconvenes on Monday that that and other bills passed on the same date which have not been transmitted to the Governor's Office will be transmitted. I hope, too, that the Governor will approve the bill which I introduced and which passed both the House and the Senate. I say that, Mr. President, because I think it is very important that every Member of the Legislature has access to the audit reports made by the Auditor General because they contain information that every Member of the General Assembly ought to acquaint themselves with. You know, after all, we appropriated a little over \$2,000,000 to the Auditor General to make these audits. He audits all the boards, departments and commissions of the Commonwealth. He audits everybody that collects money for the State and everybody that receives money from the State, and I am sure that if you ask former Senator Heyburn, now the Auditor General, as to whether or not he is a little bit disappointed at the little attention that is paid to these audit reports, he will tell you that he is disappointed. After all, he sends his men out to do this work, they do it conscientiously, they try to find out what is wrong, if anything, and they make an accounting of money that we appropriate. If there is anything wrong, they report it and they make certain recommendations in these reports, and, I repeat, every Member of the Legislature ought to acquaint themselves with the material in these reports.

Mr. President, the other day I had a little time left, and I thought I would take a look at the audit reports of the medical-surgical State hospitals in Pennsylvania. There are ten of them, and I was amazed to find some of the things that I did, frankly, and I am going to say now I found evidence of free and chiseled service. I examined those audit reports, and I found that the revenue agent who is assigned to these institutions by the Department of Revenue wrote off enormous sums of money for services rendered to patients that received service in these hospitals. I also found that the Department of Justice wrote off sizable sums, sums that were referred to the Department of Justice for collection.

Mr. President, I also found that the accounts receivable were rather high, and I also found numerous criticisms in the reports on these hospitals. For instance, and these audit reports were all made as of the end of the fiscal year, May 31, 1950, in the Ashland State Hospital there was a total of \$393,390.99 written off. In the accounts receivable, there are \$14,442.04.

In the Blossburg State Hospital, the total written off is \$285,671.06, and the accounts receivable totaled \$102,581.76.

In the Connellsville State Hospital, the total written off was \$42,788.39. The accounts receivable were \$34,061.16.

In the Coaldale State Hospital, the amount written off was \$130,756.26. The accounts receivable, \$13,406.66.

In the Hazelton State Hospital, the amount written off was \$192,975.21. The accounts receivable, \$37,776.42.

In the Locust Mountain State Hospital, the amount

written off was \$131,610.76. The accounts receivable, \$7,934.38.

In the Nanticoke State Hospital, the amount written off was \$141,806.45. The accounts receivable, \$26,714.59.

In the Philipsburg State Hospital, the amount written off was \$104,225.08. The accounts receivable, \$20,764.35.

In the Scranton State Hospital, the amount written off was \$372,643.03. The accounts receivable, \$75,044.85.

In the Shamokin State Hospital, the amount written off was \$193,846.56. The accounts receivable, \$63,077.40. The total, Mr. President, written off in those hospitals was \$1,854,207.01. The amount written off by the revenue agent of the Department of Revenue was \$1,638,127.16, and by the Attorney General \$216,079.85.

Mr. President, here this money is being written off, written off in the form of handouts, at a time when we are having all of this trouble with the budget. What are these write offs, Mr. President? They are nothing more than political patronage, political favor, and you know how it happens. I do not know whether you have had any experience with it or not, but a person wants some hospitalization. Instead of going to one of the regular hospitals, they go to a State hospital and then they get their bill after they are discharged and then, what happens? They go to the political leader and turn it over to him and what does he do? He calls up the revenue agent at the State hospital, who fixes it up for him and writes it off. It is not only criminal, but it is worse than the things that are going on in Washington.

Mr. President, in Washington they talk about mink coats and when they talk about a mink coat in Washington, what happens? It makes the editorial page and it makes the headlines in large bold type, but yet here is a sum of money that would buy at least five hundred mink coats and there is very little or anything said about it. How long is this going to continue?

Mr. President, I am reliably informed that the Members of the Board of Trustees of these State hospitals are disgusted with this situation. They are disgusted with the situation because they have no control over it, and they have no control over it because the revenue agent that writes off these sums is designated to that hospital by the Department of Revenue and not by the members of the boards of trustees, and it is about time we do something about it, not just talk about it here in the Senate.

Mr. President, I am going to refer this matter to the Governor, and I am going to ask him to put the State Police on this job and investigate everyone of the persons that got service there to determine whether or not they are financially able to pay, and if they are, see that they do pay.

Mr. President, in the 1947-49 biennium, we appropriated \$7,428,300 to these institutions. It was raised in the 1949 Session to \$8,780,000, and now at this Session they are asking for another increase to \$9,750,000. I say to you, Mr. President and Members of the Senate, that the amount written off represents almost twenty-five per cent of the total appropriations to these hospitals. The least they could do is make an honest and a sincere effort to collect this money, but instead of doing that they are making a racket of it and it is about time we do something about it. We talk about the five per centers in Washington. I have every reason to believe that these



politicians that fix it up to write these sums off, collect a fee from the patients for doing it, and I am making that charge here and now, and I ask that it be investigated. As a matter of fact, a matter as serious as this ought to command a public hearing. There is only one difference between Washington and Harrisburg. In Washington, when something like this crops up one Senator need only ask for a public hearing and he gets it, and what happens here when you ask for a public hearing? You introduce a resolution and the Clerk reads it, and you ask for unanimous consent, regardless of the merits of it, and the Majority Leader, in some cases very reluctantly, gets up and says, "I object." Then it goes to the Committee on Rules and there it dies a slow death.

Mr. President, I took the trouble to count the number of resolutions that were submitted to the Committee on Rules. There are twenty-nine of them, twenty-nine of them, and none of them reported out. Why are we afraid to have public hearings here? What is wrong with public hearings? If they do good in Washington, they will do good in Harrisburg. They will uncover some of this loose spending, some of this inefficiency that exists here in the State Government, and the sooner we begin to conduct public hearings on matters of this kind, the less trouble we are going to have with the budget and the better government we are going to have, but as long as we shield these things, as long as we pass them up, as long as we hide them, so long these conditions are going to continue to exist.

Mr. President, I hope that other Members of the Senate will take the time to read some of these audit reports that are made by the Auditor General, and I am sure if you do you will feel as I do about the entire situation in this Commonwealth.

Mr. HOLLAND. Mr. President, I am very glad to hear my colleague, Senator Yosko, speak about the hospitals through which the State gives free medical attention. I think something should be added to this.

Mr. President, four months ago I stood on this floor and pointed out how the hospitals came into operation under the old law of 1887, and how they had been abused over the years. They were made to give free hospitalization to the coal owners, the industrialists and the railroad owners of the counties in which they were situated for men who were hurt. In other words, Pennsylvania has been paying monies for men who have been hurt in industry, when industry should be paying the bill.

Now, Mr. President, there is one other thing that I believe he failed to add. I believe that we should have an investigation of medical associations, especially the medical men who practice in these hospitals. I have learned since I made my talk in the Senate that the doctors tell their patients that this operation is going to cost you so much, that I will get you free hospitalization. They collect the fee and the State pays the bill, because they know the right party to go to to get that bill forgiven to the patient.

Mr. President, I will join with Senator Yosko, and I hope that the Senate will approve it, to not only investigate the hospitals but investigate the doctors who practice in those hospitals, because they are all collecting fat fees from their patients while their patients get free hospitalization from the State.

Mr. YOSKO. Mr. President, I want to get this into the

record while I am at it. This is a part of those audit reports in the form of criticisms.

1. Interest was not charged on overdue accounts.

2. Credit reports of patients were missing, and some of those on file were not completed or signed by the patients, and in one of the institutions, I think, there were five hundred patients treated and there were only one hundred forty-seven credit cards available to the auditors, and some of those were incomplete and not signed.

3. Employees exceed their vacation and sick leave.

4. Supplies are kept in numerous rooms and tunnels. Space for this purpose is inadequate.

5. Fixed Assets Ledgers are not maintained.

6. Boards of Trustees failed to hold an election of officers as required by Section 401 of the Administrative Code.

7. Drug rooms are located in the basement of the hospitals and are not protected against heat, dirt and dampness.

8. Records of the hospital are stored in the basement and date back to as far as 1912.

9. Heating facilities are inadequate, resulting in a great deal of dirt and dust and lack of proper heating.

10. Some employees handling funds are not bonded.

11. Numerous employees have access to the store room and as a result, a proper accounting of supplies purchased are taken from the store rooms and not marked, which opens the door to thievery.

12. Supplies are issued without proper requisition.

13. Patients who are treated in the hospital pay the doctors and surgeons fees but do not pay the incidental hospital fees.

14. In one instance, the "iron lung fund" raised by popular subscription is administered by persons not connected with the hospital.

15. Accounts that are over-due and unpaid for a period exceeding 90 days are not referred to the Department of Justice for collection, in accordance with Section 512 of the Administrative Code but instead are written off by the Revenue Agent for the Department of Revenue, assigned to these institutions.

16. An examination of the medical store room disclosed that the usability of many items are questionable due to their age and inadequate ventilation in the room in which they are stored.

17. Kitchen facilities are in very poor condition and the equipment was found to be antiquated and badly worn.

18. One of the hospitals does not have a morgue. Other hospitals only have one operating room.

19. The inspection of the buildings indicated a need for house cleaning. Articles are stored in corridors and the paint work and some floor surfaces were in poor condition.

20. A refuge dump of discarded casts, bottles, tin cans, paper products, etc., are piled up in the rear of one of the hospitals and thus creates a health and fire hazard.

Mr. President, these are some of the things that you will find incorporated in those audit reports, items that ought to be corrected, and the only way that we can correct them is to do something about them here in the Legislature.

Mr. WAGNER. Mr. President, I feel impelled to make an observation or two about the remarks just made by the gentleman from Northampton.



Mr. President, certainly all of us are in favor of efficiency. We are in favor of honesty, we are in favor of reducing the cost of operating institutions that give charity service. I do not know why we cannot strive to accomplish those things without creating the impression that anybody connected with such an institution, or anybody in government living in the area where that institution is placed, is under a cloud.

Now, Mr. President, I did not like that remark about the mink coats. Here is a woman in Hazleton whose husband has anthra-silicosis after years in the mines. He is trying to live out whatever is left of his span of life, and his son gets a broken leg or his wife has a situation which requires an operation, and so where do they go? Certainly, they do not go to a private hospital. They do not go to the University of Pennsylvania Hospital. They go to the nearest State hospital, because they know it is maintained basically by the State and they know they do not have money to pay for the hospitalization. That is unavoidable.

Now, Mr. President, the gentleman from Northampton says that the accumulation of those kinds of situations adds up in dollars and cents to a worse crime than mink coats in Washington. Now, to me, that certainly is an exaggeration. You say, here is Mr. Miner's wife. Her family is as crooked as certain families in Washington in official circles. The lady in Washington, under the Democratic Administration, got a mink coat, the poor shivering, cold blond, and the lady in Hazleton got a free operation, because she lives in a Republican State and a Republican County. Now, that is just not fair and it is just not true, and as long as we have such things as State institutions, they will go to State hospitals when they do not have money to pay the bill, just the same as they will go to the State for public assistance and not to some other institution.

Mr. President, he made a further statement that he understands that the politicians in the counties where there are State hospitals fix the bills and get a rake off for the job they perform. Now, that hardly is a new high in statesmanship. I presume that he considers a politician anyone engaged in the business of government. That would make me, as a State Senator, a politician. I live in a county that has three State hospitals. The implication would be then, I suppose, that living in a county where they have State hospitals, which State hospitals do not collect the fees for all the services rendered, and I, being a politician there, get a rake-off for bills that are not completely paid. Now, if the gentleman could come in here and say that Senator Wagner, of Schuylkill County, or any other politician in Schuylkill County, got \$100 for having a \$500 account forgiven, then that is a matter for a hearing, but to stand up here and indict everybody who happens to live near where a State hospital is located is just unfair and it is erroneous, believe me, especially in the instance which I just stated.

Mr. President, so far as Schuylkill County is concerned, there are any number of Republican Senators who heard me say at a Caucus, once to Secretary Brown and in another Caucus in the presence of Secretary Messner, of Revenue, that it was the obligation of the Welfare Department and the Revenue Department to make the State hospitals as nearly self-sustaining as possible, because the closer they came to paying their way, the more approbation

they would get legislatively, and to reverse that, it would endanger the continuation of State hospitals. Some of us have made our position abundantly clear on that politically, but you cannot conclude that there is something rotten in Denmark if Denmark happens to be populated by people who do not have resources. I have had members of my family hospitalized, not in State hospitals. I have paid the bills; it has cost me plenty and, believe me, I can understand why, particularly in the coal regions, the most honest people working two, three days a week on an average over a period of years, cannot afford to pay the kind of hospitalization costs that any hospital must charge in this day of inflation of the dollar.

Now, Mr. President, let us not condemn them on that account. Certainly I am in accord with any suggestion made to collect from those who are able to pay to take care of your iron lungs and to help run your institutions ably and not let any political graft be a factor in what happens, but a condemnation as broad as this or a comparison of free operation to a miner's family with a mink coat given to some secretary in Washington is, I think simply ridiculous.

Mr. WADE. Mr. President, we are debating many of the services in State Government and a few moments ago I introduced a bill to create a commission of nine persons to study these various and sundry things, but I think we, as Members of this Senate, all of us, Republicans and Democrats alike, might feel very much gratified if no charges of misappropriation of funds or things that are a moral stigma against the Government of the State of Pennsylvania are charged.

Mr. President, Senator Yosko and Senator Holland both struck close to that, but they still failed to furnish this Senate with a single instance of where anything out of line has been done or furnished names or named places. This that we are wrestling with, and have been wrestling with for the past eleven months, is a matter of the changing value of the dollar; that applies to state government as well as our personal budgets and the budgets of all other subdivisions of government. Second, this administration is following an administration which was very ambitious and which desired to furnish services that were believed by that administration to be wanted by the citizens of the State of Pennsylvania and, third, one of the reasons for our financial dilemma is the fact that we are assuming the cost of certain services that we did not anticipate or try to cover before. One of them is the matter of raising funds for education. There is not a member of this Senate who will criticize the Legislature for furnishing the money necessary to conduct a first class educational system in the Commonwealth of Pennsylvania for its citizens, but we recognize the many problems that have grown over the years in our complicated economic system, and know that they can no longer be met in the small school districts, but that is aside from the point that I started out originally to talk about and that is this.

Mr. President, Governor Fine, for eleven months in office, has been most cooperative in everything that I have gone to him with, and I think that applies to every member of the Senate. When I went to him with this bill suggesting a study commission for the State Government and its services, Governor Fine was most cooperative. He has been, as you know, face to face with this



problem. He studied it, presented his budget message to us last March and made definite recommendations. Now, we are coming, after these long months, to recognize that he was right and that his recommendations were sound. He has been most cooperative, I repeat, and it was only after full consultation with him that I introduced that bill this afternoon, and I am sure that any commission appointed under the provisions of that bill, if passed by this Senate and House, would receive his continued cooperation.

Mr. YOSKO. Mr. President, I do not mean this as sarcasm, but I am not surprised but I am disappointed in Senator Wagner's attempt to defend the writing off of almost two million dollars worth of services in our state hospitals by giving us an example of some poor woman that needs an operation or some poor man that has a broken leg and needs attention, who does not have the money and has to go to a state hospital.

Mr. President, he knows, and if he does not, I want to tell him, that I am for giving free service to any citizen of Pennsylvania that does not have the money to pay for that service. I said that about public assistance and I say that about our state hospitals, but that does not give anybody the right to chisel sixteen million dollars in relief that was found following an investigation by the State Police and the Joint State Government Commission. I think this matter ought to be referred to the State Police for investigation as well.

Mr. President, Senator Wagner wanted to know what a politician was. In this particular case I am referring to a politician as a person who has enough political influence to be able to call the revenue agents at the hospitals and say, "Fix up this bill," and the revenue agent, of course, listens to him and writes it off. When the revenue agent does that, the way I understand, he is violating the law, because all bills that are ninety days old or more, are not to be written off by the revenue agent. They are to be referred to the Department of Justice for collection, and if the Department of Justice, after its investigation, finds that the person is not financially able to pay, then I think the Department of Justice is authorized to write off these accounts, but not before that and not in the manner and form in which they are being written off to the tune of close to two million dollars.

Mr. President, if the records of these institutions, the patients' records, their credit records, were not in the shape that they were found to be in and in the shape that the audit reports state they were found in, I, of course, would not have said a word about this thing today, but when the patients' credit reports are not available to the auditors, then there is something wrong in Denmark, somebody is shielding something. When the credit report is not completed, when the credit report is not signed, then there is a suspicion of skulduggery, there is a suspicion of something being done that is not according to Hoyle.

Mr. President, I am sure if I were to ask Senator Wagner whether he believed that the total of all the cases, representing \$1,854,000, represented the type of case that he referred to, I am sure he would say he did not know, and if he did not know, then why defend it, and if he did not know, then the thing to do is to have a public hearing, call these people in and let us find out what is going on. If there is anything wrong, let us

correct it. That is the way to go at this problem; not just talk about it, but do something about it. I repeat, that is what is wrong here in the state. People do things that violates the confidence that the administration placed in them, and the worst that happens to them is they are fired but there are very few of them fired. They are fired from one department and hired in another.

Mr. President, as far as charging somebody with something is concerned, I want to repeat, if the records were in order at these hospitals, I certainly would not be on my feet today saying the things that I have said.

Mr. WAGNER. Well, Mr. President, I just want another paragraph or two.

Mr. President, I think I made it abundantly clear that I was not justifying every dollar that is written off by the state hospitals. I do not know that every write-off is legitimate. I am perfectly satisfied, and I have expressed that feeling to the Department of Welfare and the Department of Revenue, to make it as efficient as we can and get all the money we can. I know of nobody in the state hospitals in my district being fired for fixing bills, and I know of no one who has been suspected of taking money for fixing bills, but what I want to make abundantly clear is this. First, that you cannot condemn the State hospitals and their operations, or the present or past administration, because there is a deficit there. That is my point.

Mr. President, I also want to make abundantly clear that in my moral code there is a world of difference between the wife of a deputy attorney general in Washington getting a mink coat and a miner's wife in Hazleton getting an appendectomy.

Mr. HOLLAND. Mr. President, I want to say to the gentleman from Schuylkill that I am just as interested in having the leg of a miner's wife fixed after it is broken or a child taken care of as he is. However, I do not like the term State hospital as used by him. These are not State hospitals. They are carried as medical-surgical hospitals in the budget, not as State hospitals. We have State institutions throughout the State and they are kept by the State, and I have no objection to the State institutions, but I do have objection to having in Schuylkill County two or three hospitals who give medical and surgical attention as free, even to those who can pay for it.

Now, Mr. President, under the law they cannot do it, because the act which was written stated that only those who were hurt in industry either in the mines, the factories or the railroads, would be admitted to the hospital and that those who could not pay would be given preference over those who could pay. That is in the act; way back in 1887 it was written.

Now, Mr. President, today it is different. Thank God, we got unions and we have health insurance in unions in their contracts, and the union members' son or daughter or wife does not have to beg to go to a hospital. They have health insurance and they go to a hospital. The United Mine Workers have health insurance for their people the same way, and, of course, according to the medical men, we have a Blue Cross which a great number of the people have and I do not understand why these ten hospitals have to continue to increase their appropriations each biennium after biennium. Doesn't anyone have any money in Schuylkill County? I know the schools



are always cheated out of money, and if that is so, Mr. President, I believe it would be a very fine idea to have this commission formed, this committee formed, to not only investigate the Schuylkill hospital situation but the school situation up there, which is always broke and has not been able to pay the wages of their teachers who come down here begging, and also to find out what the Legislature can do to make Schuylkill County a county which can hold up its head with the other counties of the State.

Mr. President, for the benefit of Mr. Wade—I hope he is here—he is exactly nine months late with his bill, exactly to the day he is nine months late in bringing to the floor his brain child, the Hoover Commission, because on March 12, I introduced a Hoover Commission to do exactly what he is trying to do now. After my bill was introduced, he introduced a resolution and then he found out that the resolution could not do the job, so he immediately copied my points of the Hoover Commission in my bill and introduced a bill, and I am awfully sorry that he has given birth to this bill, because in giving birth to this bill there is another child on the Calendar which is nearly a year older than the one he has given birth to today.

#### PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, the record shows that I was absent from this Session on Monday and Tuesday of this week, and I, like many other Pennsylvanians, had planned a hunting trip which I have made every year throughout my life since I was old enough to hunt, and I made plans for a week, especially after I learned that we would be in recess until the tenth day of December. However, being called back before that date I changed my plans somewhat, and I was compelled yesterday to cut my trip short from a six day week to a day and a half.

Mr. President, I would like to inform my colleague from Tioga, Senator Berger, that I spent a couple happy days up in the Tioga country, and I returned home last night because I learned, by telephone, that some action was being taken with reference to the charges that I made at the Cambria County Courthouse quite sometime ago. I am happy to learn that during my absence this body has come to the realization and they acted in an orderly fashion. I was much disappointed, to say the least, in the action taken by the gentleman from Allegheny last week when he tried to convince this body and myself that what charges I may have made should be aired before a committee of the whole. I think he realized then, and realizes now, that he was wrong, and I want to pay tribute to the public press of Pennsylvania for bringing this matter to a head. I think the press has played a major part in making it possible for the people of the Commonwealth to hear what I have to say.

Mr. President, at the present time I have no knowledge of what the committee anticipates and I do not know whom I should refer my remarks to, either to the gentleman from Allegheny County, Senator Walker, or to the gentleman from Tioga, Senator Berger, but I would like to ask now, Mr. President, can they tell me when and where the meeting will be held so I may contact my

counsel, the former Attorney General, Charles J. Margiotti, who told me he would be here as quickly as possible. He is in Washington, D. C., holding hearings, and I do not want to mislead him. I would like to know when we shall have these hearings so I may get in touch with him immediately and then tell this body as to whether or not we can agree to their terms on the date set.

#### INTERROGATION

Mr. HALUSKA. Mr. President, I would like to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. HALUSKA. Mr. President, I learned a few minutes ago that Senator Berger was chosen as Chairman of a ten man committee, appointed to hear the charges that I have made. Can you tell me, Senator Berger, as Chairman of that committee, when and where the hour that the meeting will be held?

Mr. BERGER. Mr. President we anticipate requesting a recess in a short time for the purpose of holding a meeting of the committee just appointed this afternoon, at which time we will decide when will be the earliest possible time when we can commence these hearings. We anticipate asking Senator Haluska, or consulting with him, as to the time which would be agreeable to him.

Mr. HALUSKA. Thank you Senator Berger, after you have called the meeting I may be able to reach my counsel and have his availability conform with their plans, if possible, but if they should set a date arbitrarily and I can not reach him, it would not be fair to me or him. I hope I can reach my counsel immediately after I hear from the committee.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Finance.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### REPORTS FROM COMMITTEES

Mr. WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection. The Chair hears none.

Mr. WOOD, from the Committee on Finance, reported as amended, House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions further providing for the disposition of money received hereunder and changing penalties.

He also, from the Committee on Finance reported as amended, House Bill No. 1544, entitled:



An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealers-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealers-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

He also, from the Committee on Finance reported as amended, House Bill No. 1697, entitled:

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum.

He also, from the Committee on Finance reported as amended, House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax.

He also, from the Committee on Finance reported as amended, House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net income derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time.

He also, from the Committee on Finance reported as amended, House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time.

### BILLS INTRODUCED AND REFERRED

Mr. WAGNER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WAGNER, read in place and presented to the Chair Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for creation of the office of associate superintendent in third class districts.

Which was committed to the Committee on Education.

Mr. WATKINS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATKINS, read in place and presented to the Chair Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by imposing a penalty on school districts for employing substitute teachers where vacancies exist.

Which was committed to the Committee on Education.

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MALLERY, read in place and presented to the Chair Senate Bill No. 915, entitled:

An Act to further amend section 2002 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by requiring council to designate the chief and other police officers or to authorize the mayor to make such appointments.

Which was committed to the Committee on Local Government.



## RECESS

Mr. BERGER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Investigating Committee.

Mr. LETZLER. Mr. President, I second the motion. The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## REPORT FROM COMMITTEE

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on State Government, reported as committed, Senate Bill No. 912, entitled:

An Act creating a Commission on Reorganization of the Executive Branch of the Commonwealth; providing for the membership of such Commission; prescribing its powers and duties, and making an appropriation.

## OBJECTION TO REPORT FROM COMMITTEE

Mr. HOLLAND. Mr. President, I object to Senate Bill No. 912 being reported out.

The PRESIDING OFFICER. The gentleman's point is not well taken. You are out of order.

Mr. HOLLAND. Mr. President, the committee never had a meeting. We have other bills there to be discussed.

The PRESIDING OFFICER. The Chair has no knowledge of that, Senator Holland.

## COMMITTEE APPOINTED PURSUANT TO SENATE RESOLUTION, SENATE No. 7A

The PRESIDING OFFICER. The President Pro Tempore wishes to announce the appointment of the following committee subject to Senate Resolution Serial No. 7A on insurance pool; Senator Wade, Senator Crowe and Senator Silvert.

## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that

records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## THIRD READING CALENDAR

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 415, as follows:

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution an educational program in industrial and labor relations stating the objectives and purposes of said program conferring obligations and duties on the trustees and president of said institution providing for the establishment of an advisory committee its appointment and defining its powers and duties and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Findings It is necessary that understanding of industrial and labor relations be advanced that more effective cooperation among employers and employees and more general recognition of their mutual rights obligations and duties under the laws pertaining to industrial and labor relations in the Commonwealth be achieved that means for encouraging the growth of mutual respect and greater responsibility on the part of both employers and employees be developed and that industrial efficiency through the analysis of problems relating to employment be improved

Section 2 Policy In the interpretation and application of this act it is hereby declared to be the policy of this Commonwealth to provide facilities for instruction and research in the field of industrial and labor relations

Section 3 Establishment of Program The Pennsylvania State College is hereby authorized to offer through its extension services a program of instruction in industrial and labor relations under the provisions of this act

Section 4 Objects and Purposes The object of said program of instruction shall be to aid in the improvement of industrial and labor relations in the Commonwealth to provide instruction to conduct research and to disseminate information in all aspects of industrial labor and public relations affecting employers and employees

Section 5 Courses of Study Said program of instruction shall make available along with other subjects proposed by the advisory committee such subjects as

(1) The history and development of industrial practices of employers and employees

(2) The history and principles of sound industrial and labor relations and organizations

(3) The rights and obligations of employers and employees

(4) The history and development of laws relating to industry and to labor and



(5) All other phases of industrial labor and public relations of employers and employes tending to promote unity and the welfare of the people of this Commonwealth

Section 6 Duties of Trustees and Director It shall be the duty of the trustees of The Pennsylvania State College through its extension services to provide for an expanded educational program for management and labor in said college and in the several communities of the Commonwealth which shall utilize the full institutional resources of the college in order to further the objectives of this act

Section 7 Methods of Study The program shall provide for instruction by various methods and techniques including extension class instruction correspondence instruction and by varied informal methods or techniques of instruction

Section 8 Advisory Committee Powers and Duties The president of The Pennsylvania State College is hereby authorized to appoint an advisory committee composed of an equal number of representatives from management labor and the public selected from a list of representatives nominated by these respective groups and said committee shall be advisory in fact but may recommend policy but shall have no control of the actual implementation of said policy (beyond reviewing its development and application) in practice The committee shall meet twice each year and at such other times as may be requested by the majority of the members of the committee

Section 9 Appropriation For the purpose of providing for the development and operation of this educational program and service to management and labor and to the public and for its administration by The Pennsylvania State College there is hereby specifically appropriated to the Trustees of The Pennsylvania State College for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose herein set forth the sum of one hundred thousand dollars (\$100,000)

Section 10 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Leitzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 431, on third reading, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand

nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 872, as follows:

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" as last amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (Act No. 400) is hereby further amended to read as follows

Section 21 Regulations All regulations of any agency which are in effect on the first day of [December one thousand nine hundred fifty-one shall expire on the first day of January] June one thousand nine hundred fifty-two shall expire on the first day of July one thousand nine hundred fifty-two unless a copy thereof certified by the executive officer chairman or secretary of the agency is filed in the Department of State in such form and size as shall be prescribed by the Department of State prior to the first day of [January] July one thousand nine hundred fifty-two Regulations adopted after the [thirtieth day of November one thousand nine hundred fifty-one] thirty-first day of May one thousand nine hundred fifty-two shall have no effect until a copy thereof certified by the executive officer chairman or secretary of the agency is filed in the Department of State in such form and size as shall be prescribed by the Department of State Printing of copies of regulations filed with the Department of State shall not be required All regulations shall be approved as to legality by the Department of Justice before they are filed in the Department of State but failure of the agency to submit a regulation for such



approval shall not invalidate the regulation Copies of all regulations shall be made available by the adopting agency upon request

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 881, as follows:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" as amended is hereby further amended by adding a new route in Bucks County

## Morrisville Borough

Route 09158 Extending Route 09158 Beginning at a point on the Falls Township-Morrisville borough line thence northerly on Pennsylvania avenue to an intersection with Route 150 at Pennsylvania and Philadelphia avenues in the borough of Morrisville Bucks county a distance of about 0.53 of a mile

Section 2 This act shall become effective on the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,

Byrne,  
Chapman,  
Crowe,  
Dent,  
DiSilvestro,  
Fleming,  
Freed,

Leader,  
Letzler,  
Mahany,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Pechan,  
Robinson,  
Rosenfeld,  
Ruth,  
Silvert,  
Snowden,  
Stevenson,

Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,  
Hare,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 882, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" is hereby further amended by adding a new route in Bucks County

## Bucks County

Route 09158 Beginning at a point on Route 150 near Penn Valley thence in a general northeasterly direction in Falls Township to the south line of Morrisville Borough in Bucks County a distance of about one mile

Section 2 This act shall become effective the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer
Haluska,			



## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 883, as follows:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" is hereby amended by adding at the end thereof a new paragraph to read as follows

## Section 5 Licensing Present Practitioners \* \* \* \* \*

All members of the State Board of Chiropractic Examiners whose terms of office had not expired on the date when the act to which this is an amendment was approved shall by virtue of their office receive certificates of licensure without examination The persons appointed to membership on the board to succeed members whose terms had expired before said approval date shall by virtue of their appointment receive certificates of licensure without examination

Section 2 Sections 7 8 and 13 of said act are hereby amended to read as follows

Section 7 Preliminary Educational Qualifications No person [matriculating in the study of chiropractic] after the effective date of this act shall be licensed to practice chiropractic unless he or she produces proof to the board before taking his or her examination of having had a general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in physics chemistry and biology as determined by the Department of Public Instruction

Section 8 Professional Education Qualifications Except as hereinbefore provided for present practitioners no person shall hereafter be licensed to practice chiropractic in this Commonwealth unless he or she shall deliver to the secretary of the board a written application together with satisfactory proof that the applicant is more than twenty-one (21) years of age is of good moral character has obtained the preliminary education as required by section seven of this act and has graduated from an approved legally incorporated and reputable school or college of chiropractic as defined in section four of this act a course of chiropractic instruction of not less than four graded courses of not less than four thousand (4000) hours of fifty (50) minutes [each] of classroom and

laboratory instruction in the subjects as set forth in section four and shall pass a final examination before the board as provided in this act

Section 13 Status of Existing Licensees and Registrants Preserved Any person licensed or legally authorized to practice chiropractic in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of chiropractic without being required to be licensed anew under the provisions of this act and as fully as if he were licensed under the provisions of this act and to that extent he shall be exempt from the penalties of this act and may remain under the jurisdiction of the State Medical Board of Education and Licensure subject to the provisions of the Medical Practice Act of 1911 [Those desiring to be under the jurisdiction of the chiropractic board shall be subject to the power of the board as provided by this act to suspend or revoke the license of any practitioner under this act for the causes set forth in this act and subject to the power of the board to require any such person to register annually as provided in this act]

Any person holding a valid license in drugless therapy to practice chiropractic issued by the State Board of Medical Education and Licensure prior to the tenth day of August one thousand nine hundred fifty-one may make application to the State Board of Chiropractic Examiners before the first day of September one thousand nine hundred fifty-two for a license under the provisions of the act to which this is an amendment and to become subject to the provisions of said act and to the jurisdiction and control of the board to the exclusion of the Board of Medical Education and Licensure and the laws administered by it Upon the payment of a fee the amount of which shall be fixed by the department the application shall be granted a certificate of licensure shall be issued without examination the certificate of licensure in drugless therapy to practice chiropractic issued by the State Board of Medical Education and Licensure shall be surrendered and cancelled and the applicant shall be entitled to the rights and privileges of the act to which this is an amendment and subject to the jurisdiction of the board thereunder The board shall notify the State Board of Medical Education and Licensure of each certificate of licensure issued by it that is cancelled by the board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—44

Bane,	Holland,	Meade,	Toole,
Barr,	Kephart,	Neff,	Wade,
Barrett,	Kessler,	Peelor,	Wagner,
Berger,	Lane,	Propert,	Walker,
Blass,	Leader,	Robinson,	Watkins,
Byrne,	Letzler,	Rosenfeld,	Watson,
Crowe,	Mahany,	Ruth,	Wolfe,
Dent,	Mallery,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.	Taylor,	Presiding Officer
Haluska,			

## NAYS—4

Chapman,	McCreesh,	Pechan,	Stiefel,
----------	-----------	---------	----------

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,



The Senate proceeded to the third reading and consideration of Senate Bill No. 887, as follows:

An Act to amend Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act it shall not be lawful in any civil suit or action in any court in this commonwealth wherein [an affidavit of claim] a complaint is or may be required and in which the plaintiff [by himself or his agent or attorney] shall have filed [an affidavit of claim setting forth the nature and amount thereof and shall have also filed a declaration or statement] a complaint for the defendant to enter a rule of reference declaring his intention to have arbitrators chosen unless he shall have previously filed [an affidavit of defence specifically setting forth the nature and character of the same] an answer in cases where an answer is required and a rule of reference shall in no case prevent the plaintiff from moving for or the court from entering judgment [for want of a sufficient affidavit of defence] on the pleadings in a proper case This section shall not apply to cases referred to the board of arbitrators by agreement under section 8.1 of the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freud,	McMenamin,	Stevenson,	Hare.

Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 888, as follows:

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and the payment of fees and costs in such cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" is hereby amended by adding after Section 8 thereof a new section to read as follows

Section 8.1 The several courts of common pleas may by rules of court provide that all cases which are at issue where the amount in controversy shall be one thousand dollars (\$1000) or less except those involving title to real estate shall first be submitted to and heard by a board of three (3) members of the bar of the county for consideration and award Cases which are not at issue and whether or not suit has been filed in which the amount in controversy shall be one thousand dollars (\$1000) or less may be referred to the board of arbitration by agreement of reference signed by counsel for both sides in the case Said agreement of reference shall define the issues involved for determination by the board and when agreeable shall also contain stipulations with respect to facts submitted or agreed or defenses waived In such cases the agreement of reference shall take the place of the pleadings in the case and be filed of record

Section 2 Section 9 of said act is hereby amended to read as follows

Section 9 [Provided That it] It shall not be lawful for the plaintiff in any suit to enter [such] the rule provided for in section eight hereof until after a [declaration or statement of the cause of action] complaint shall have been filed [by him]

Section 3 Section 13 of said act is hereby amended by adding at the end thereof two new clauses to read as follows

Section 13 On the day fixed for the appointment of arbitrators if both parties attend either in person or by their agents or attorneys the arbitrators shall be chosen in the following manner viz

\* \* \* \* \*

VII In all cases under Section 8.1 hereof a board of arbitrators consisting of three members of the bar of the court in which such case is pending shall be appointed by the prothonotary from the list of attorneys qualified to act The names of attorneys from said list shall be taken in alphabetical order except where attorneys are excused on account of incapacity or illness Not more than one member of a firm or association of attorneys shall be appointed to the same board The first member named shall be chairman of the board

VIII The board of three members of the bar shall be appointed ten (10) days after the case is at issue or after filing of the agreement of reference upon praecipe filed by counsel for either party with notice to the opposing counsel Where no appearance has been entered in trespass actions the board shall be appointed on praecipe of plaintiff's counsel to hear the case and pass upon the question of damages The board shall make its report and render its award within twenty (20) days after hearing

Section 4 Section 27 of said act is hereby amended by adding at the end thereof a new clause to read as follows

Section 27 Either party may appeal from an award of arbitrators to the court in which the case was pending at the time the rule or agreement of reference was entered under the following rules regulations and restrictions viz

\* \* \* \* \*

V In all cases under Section 8.1 hereof any party appealing shall first repay to the county the fees of the members of the board of arbitrators herein provided for Such fees shall not be taxed as costs or be recoverable in any proceeding All appeals shall be de novo

Section 5 Section 32 of said act is hereby amended to read as follows

Section 32 The costs to be paid by the appellant as [hereinbefore] herein required may nevertheless be taxed in the appellant's bill and recovered of the adverse party if in the event of the suit the appellant is entitled to recover costs agreeably to the provisions of this act Provided That the compensation of the arbitrators repaid



to the county by appellant as provided by Clause V of Section 27 of this act shall not be taxed as costs or recovered from the adverse party

Section 6 Section 40 of said act is hereby amended by adding immediately after Clause V thereof a new clause to read as follows

Section 40 Referees and arbitrators in every case as aforesaid or a majority of them shall have power

\* \* \* \* \*

VI The arbitrators shall not be required to make a record of the proceedings before them If any party shall desire a record the arbitrators shall provide a reporter and cause a record to be made and the party requesting the same shall pay the cost thereof

Section 7 Section 49 of said act is hereby amended to read as follows

Section 49 Every referee and arbitrator shall be entitled to receive the sum of one dollar for every day necessarily employed by him in the hearing and determination of the cause submitted to him

In all cases under Section 8.1 of this act the compensation of each member of the board of arbitrators shall be determined by the court and paid by the county for each case heard upon the filing of the report and award if any Such fees shall not be taxed as costs nor follow the award as other costs

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mallery,	Rosenfeld,	Watson,
Crowe,	Mahany,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.	Stiefel,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1047, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and real estate salesmen" further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) (b) and (c) of Section 2 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to

define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business subsection (a) of which was last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 767) subsection (b) of which was last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) and subsection (c) of which was last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1016) are hereby further amended to read as follows

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell exchange purchase or rent or shall negotiate the safe exchange purchase or rental or shall offer or attempt to negotiate the sale exchange purchase or rental or shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting of any real estate interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate including cemetery lots at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who shall sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute prima facie evidence that the person copartnership association or corporation so acting or attempting to act is a real estate broker within the meaning of this act The term "real estate broker" shall also include [all real estate auctioneers and] real estate appraisers as well as all managers of office buildings apartment buildings and other buildings and persons employed by the owners of such buildings banking institutions and trust companies for the foregoing purposes

(b) The term "real estate salesman" shall mean and include any person employed by a licensed real estate broker to [perform any or all of the functions of a real estate broker] list for sale or offer for sale to buy or offer to buy or to negotiate the purchase or sale or exchange of real estate or to negotiate a loan on real estate or to lease or rent or offer to lease rent or place for rent any real estate or collect or offer or attempt to collect rent for the use of real estate for or in behalf of such real estate broker Provided however That stenographic or other clerical help employed solely in such capacity in the office of the broker shall not be required to be licensed as real estate salesmen

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them nor any person who sells land by public auction for or on behalf of the owner or owners thereof nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and



justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive officer of any banking institution or trust company operating under the banking laws of Pennsylvania where real estate of the banking institution or trust company only is involved nor shall they be held to include any officer or employee of a cemetery company who as incidental to his principal duties and without remuneration therefor shows lots in such company's cemetery to persons for their use as a family burial lot and who accepts deposits on such lots for the representatives of the cemetery company legally authorized to sell the same

Section 2 Section 6 of said act as last amended by the act approved the fifth day of May one thousand nine hundred forty-five (P. L. 424) and by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) is hereby further amended to read as follows

Section 6 From and after January 1 1930 it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the department

No person copartnership association or corporation may be licensed by the department as a real estate broker unless such person and all of the members of any such copartnership or association who are actively engaged in the real estate business and all of the officers of any such corporation who are actively engaged are of the age of twenty-one years and upwards are citizens of the United States and shall have served an apprenticeship in active practice as a duly licensed real estate salesman of not less than two years in the employ of a duly licensed real estate broker or brokers or upon application proof of experience equivalent thereto

Any person engaged in the real estate business for a period of two years or more prior to January 1 1930 may be admitted to an examination for a real estate broker's license Provided That he or she shall meet all of the prerequisites of applicants for such licenses except that he or she shall not be required to have served in the employ of a duly licensed real estate broker or brokers as a duly licensed real estate salesman for a period of two years [Provided however That any person partnership or unincorporated association who or which has been licensed as a private bank by the Department of Banking of the Commonwealth of Pennsylvania for a period of thirty (30) years or more prior to the first day of January one thousand nine hundred forty-five shall if application therefor is made within ninety (90) days of the effective date of this act be entitled to apply for and to receive a real estate broker's license without examination]

Section 4 3 Subsections (b) and (c) of Section 7 of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 767) are hereby further amended to read as follows

#### Section 7

\* \* \* \* \*

(b) Application for licenses as real estate broker shall be made in writing to the department upon a blank provided for the purpose by the department and shall contain such information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the commission shall require The application shall be signed by the applicant shall set forth that the applicant has been actively engaged in the business for a period of two years together with a statement of such activity and shall be accompanied by the recommendation of at least two citizens not related to the applicant or in the case of a copartnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county

in which the applicant resides or has his their of its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership or association or corporation its members or officers by name and recommending that a license be granted the applicant and by the recommendation of one licensed real estate broker or licensed member or officer of a copartnership association or corporation licensed as a real estate broker If the applicant or in the case of a partnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Each application shall be accompanied by two photographs of the applicant or in the case of a copartnership association or corporation of the applicant members or officers thereof Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of two dollars and fifty cents (\$2.50) for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire on the last day of February immediately following the date of issue unless sooner revoked or suspended by the commission or renewed annually as hereinafter described Provided That upon the filing of an application the commission may investigate the allegations therein contained and if upon investigation it finds such allegations untrue it may refuse to examine or license the applicant setting forth in writing its findings and the reasons for its refusal and furnishing a copy thereof to the applicant

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth that he is at least eighteen years of age the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter No person may be licensed by the department as a real estate salesman unless such person is a citizen of the United States All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the commission shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire on the last day of February immediately following the date of issue unless sooner revoked or suspended by the commission or renewed annually as hereinafter described

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corporation may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the commission and prepared by the commission The commission shall hold examinations on the second Saturdays in January April July and October in the cities of Philadelphia Pittsburgh Harrisburg Wilkes-Barre and Erie at such hours and under



such rules and regulations as the commission shall prescribe Provided That the commission may make a special dispensation or exception because of religious scruples of applicants as to the day of the week upon which the examination shall be held Provided further That the commission may hold real estate salesmen's examinations in the city of Harrisburg on the second Saturday of any month The examination for a broker's license shall include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches The examination for salesman's license shall be limited to mathematics applicable to real estate business the Real Estate Brokers' License Act and ethical practices thereunder Provided however That in event the license of any real estate broker or salesman shall be cancelled by the commission subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the commission may waive these requirements in the case of an application from a non-resident broker of those states having similar requirements under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State

[An individual who fails to pass the examination may apply for and receive from the department a temporary permit to operate as a real estate salesman until the next regular examination] Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of six months from the time such individual took the last examination

Section 4 Section 9 of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) is hereby further amended by adding at the end thereof a new subsection to read as follows

#### Section 9

\* \* \* \* \*

(d) No corporation or copartnership engaged in the real estate business shall include in the corporate or partnership name the name of a licensed real estate salesman unless there shall also be included in the name of such corporation or copartnership the name of a licensed real estate broker

Section 5 Subsection (a) of Section 10 of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 767) is hereby further amended to read as follows

Section 10 (a) The commission may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specifically the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the department under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find the holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of knowingly making any substantial misrepresentation or

(2) Of knowingly making any false promise of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) When it shall be shown that the licensee within five years prior to the issuance of the license then in force has [been convicted] pleaded guilty entered a plea of nolo contendere or has been found guilty in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretenses ex-

tortion conspiracy to defraud bribery or other like offense or offenses

(5) Of any failure to account for or to pay over moneys belonging to others which has come into his her or its possession arising out of a real estate transaction or

(6) Of any misleading or untruthful advertising or

(7) Of any act or conduct in connection with a real estate transaction which demonstrates incompetency bad faith or dishonesty

(8) Of displaying a "for rent" or "for sale" sign on any property without an exclusive agency therefor or without the owners consent

(9) Of failing to furnish voluntarily a copy of the agreement of sale to the buyer and the seller

(10) Of buying a property listed through a straw party with the intent of reselling to a buyer already secured thus making a profit in addition to the commission agreed upon with the owner listing the property

(11) Of failure to deposit in escrow or a trustee account all moneys belonging to others coming into the hands of the licensee

Section 6 Subsections (b) and (g) of Section 11 and subsection (a) of Section 15 of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) are hereby further amended to read as follows

Section 11 \* \* \* \* \*

(b) Where during the term of any license issued by the department the licensee shall [be convicted] have pleaded guilty or entered a plea of nolo contendere or has been found guilty in a court of competent jurisdiction in this or any other State of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud bribery or other like offense or offenses and a duly certified or exemplified copy of the record in such proceeding shall be filed with the commission the commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted

\* \* \* \* \*

(g) No license shall be issued by the department to any person known by it to have been within five (5) years theretofore convicted of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud bribery or other like offense or offenses or to any copartnership of which such person is a member or to any association or corporation of which said person is an officer or employe or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly

Section 15 (a) It shall be unlawful for any licensed real estate broker or real estate salesman to pay any compensation in money or other valuable thing to any person other than a [licensed] real estate broker or real estate salesman licensed under the provisions of this act or under the laws of another state having the same or similar provisions regarding payment of compensation for the rendering of any service or the doing of any of the acts by this act forbidden to be rendered or performed by other than licensees.

### BILL RECOMMITTED

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,  
Barr,  
Barrett,  
Berger.

Haluska,  
Holland,  
Kephart,  
Kessler.

Meade,  
Neff,  
Pechan,  
Peeler,

Taylor,  
Toole,  
Wade,  
Wagner,



Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed	McPherson, Jr.,	Stiefel,	Presiding Officer

## NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## SENATE BILL NO. 671 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 671 for consideration at this time.

The PRESIDING OFFICER. Is there any objection? The Chair hears none.

Mr. WALKER. Mr. President, I move that Senate Bill No. 671, on third reading, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further limiting eligibility for general assistance.

be recommitted to the Committee on Public Health and Welfare.

Mr. SNOWDEN. Mr. President, I second the motion. The motion was agreed to.

## SENATE BILL NO. 706 CALLED UP FROM THIRD READING POSTPONE CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postpone Calendar Senate Bill No 706 for consideration at this time.

The PRESIDING OFFICER. Is there any objection? The Chair hears none.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 706 on third reading, entitled:

An Act to add clause (m) to section 108 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an

elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and dean of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by designating diseases of the heart and tuberculosis of the respiratory system as occupational diseases when contracted or incurred by firemen or policemen.

be recommitted to the Committee on Local Government.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I rise to oppose the Majority Leader's motion to recommit this piece of legislation. For your information, Senator Fleming and I sponsored this bill about six months ago. The provision of this bill would protect the volunteer firemen and volunteer policemen in Pennsylvania, and place then under the provisions of the Workmen's Compensation Act in regards to diseases of the respiratory organs and diseases of the heart.

Now Mr. President, we worked on House Bill No. 213 for quite a number of weeks. That bill became a law, but that applies only to paid fireman and paid policemen in Pennsylvania. We had an amendment in there which would have taken care of the volunteer fireman and volunteer policeman, but it was knocked down. They passed House Bill No. 213. So, Senator Fleming and myself sponsored Senate Bill No. 706 and now the bill is going back to committee, and I suppose it will be dead.

Mr. President, I say to you Members of the Senate here today that the volunteer fireman in Pennsylvania perform a service that could not be paid in dollars and cents. I say that they are entitled to this protection, and I ask each and every Member here to vote "No" on this motion to recommit this bill.

And the question recurring,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I ask for a roll call.

Mr. HOLLAND. Mr. President, I ask for a roll call. (During the calling of the roll the following occurred:)

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. NEFF. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Kessler,	Propert,	Watkins,
Blass,	Letzler,	Robinson,	Watson,
Chapman,	Mallery,	Snowden,	Wolfe,
Fleming,	Pechan,	Taylor,	Wood,
Freed.	Peelor,	Wagner,	Hare,
		Walker,	Presiding Officer

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.



The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Dent,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	Neff,	Yosko,
Byrne,	Lane,	Rosenfeld,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. LANE and Mr. HOLLAND and were as follows, viz:

#### YEAS—21

Berger,	Letzler,	Robinson,	Watkins,
Blass,	Mallery,	Snowden,	Watson,
Chapman,	Pechan,	Taylor,	Wolfe,
Fleming,	Peelor,	Wagner,	Wood,
Freud,	Proport,	Walker,	Hare,
Kessler,			Presiding Office

#### NAYS—15

Bane,	Dent,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	Neff,	Yosko,
Byrne,	Lane,	Rosenfeld,	

So the question was determined in the affirmative.

#### HOUSE BILL NO. 1416 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1416 for consideration at this time.

The PRESIDING OFFICER, is there any objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1416, on third reading, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and adsentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court of the register of wills in all matters relating to fiduciaries" by providing for the examination of safe deposit boxes rented in the names of decedents by an appraiser appointed by the Secretary of Revenue.

be recommitted to the Committee on Finance.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### HOUSE BILL NO. 1699 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the

Third Reading Postponed Calendar House Bill No. 1699 for consideration at this time.

The PRESIDING OFFICER. Is there any objections? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1699, on third reading, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts in trust and by adding a new section pertaining to the opening and examining of safety deposit boxes of decedents and providing penalties

be recommitted to the Committee on Finance.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### SECOND READING CALENDAR

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 350, entitled:

An Act to further amend clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 623, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities is-



sued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 875, on second reading, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds when the acknowledgment of such deed or deeds was defective in any respect or sale thereof not legally returned if in fact such acknowledgement was taken before any officer duly authorized by law to take acknowledgments and return duly made at a subsequent term

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting employees of school districts to serve as councilmen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 892, on second reading, entitled:

An Act to add subsection (d) to section 530 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by requiring that the Flag of the United States be flown or displayed at polling places on election days

be placed on the Second Reading Postponed Calendar.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 895, entitled:

An Act to further amend Section 652 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the payment of expenses to members of recreation boards in counties of the third class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 904, entitled:

An Act to amend the act approved the twenty-fourth



day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mother's Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mother's assistance pensions for the blind old age assistance and the State Emergency Relief Board" by authorizing the posting of lists containing the names, addresses and amounts of general assistance granted to all persons receiving general assistance

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WATKINS on behalf of Mr. HARE offered the following amendments:

Amend Sec. 1, page 2, line 1 by striking out the figure "4" and inserting in lieu thereof "7"; amend Sec. 1, (Sec. 4), page 3, lines 10 to 18 inclusive, by striking out all of said lines.

They were agreed to

The section was agreed to as amended

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WATKINS on behalf of Mr. HARE offered the following amendments:

Amend Sec. 2, page 3, lines 19 and 20 by striking out both of said lines; amend Sec. 2, (Sec. 7), page 4, lines 4 and 5 by striking out the words "At such times as it may be directed to do so by the Department of Public Assistance and in its discretion at any other time to post" and inserting in lieu thereof "To post every three months"; amend Sec. 2 (Sec. 7), page 4, line 8 by striking out the word "general" where it appears both times in said line; amend Sec. 2 (Sec. 7), page 4, line 9, by inserting after the part work "tance" the following: "pursuant to the provisions of clause (d) of section nine, of this act",

They were agreed to

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WATKINS on behalf of Mr. HARE offered the following amendments:

Amend Titles, page 2, third from last line of Title, by striking out the word "authorizing" and inserting in lieu thereof "requiring"; amend Title, page 2, next to last line of Title by striking out the word "general"; amend Title, page 2, last line of Title, by striking out the word "all" and inserting in lieu thereof "certain"; amend Title, page 2, last line of Title, by striking out the word "general".

They were agreed to

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading?

## BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1246, on second reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties

be placed on the Second Reading Postponed Calendar.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

## BILLS RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1356, on second reading, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties

be recommitted to the Committee on Public Health and Welfare.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 1357, on second reading, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties"

be recommitted to the Committee on Public Health and Welfare.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I move that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure



go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1664, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

be recommitted to the Committee on Highways.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1727, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen

(P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further providing for certain minimum and maximum pensions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 691 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 691 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 691, entitled:

An Act to further amend Section 444 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the maximum appropriation which may be made for agricultural extension work.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 806 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 806 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 806, on second reading, entitled:

An Act to amend clause (1) of subsection (a) of Section 202 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by exempting from local



taxation all property owned by churches and religious groups and used exclusively for religious purposes or as living quarters for religious leaders

be recommitted to the Committee on Local Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 807 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 807 for consideration at this time.

The PRESIDING OFFICER. Is there objection- The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 807, on second reading, entitled:

An Act to amend clause (a) of Section 202 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for the regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by exempting from local taxation all property owned by churches and religious groups and used exclusively for religious purposes or as living quarters for religious leaders

be recommitted to the Committee on Local Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### HOUSE BILL No. 1550 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 1550 for consideration at this time.

The PRESIDING OFFICER. Is there objection- The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1550, on second reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments, boards, commissions, of officers

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### RECESS

Mr. DENT. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a Democratic Caucus.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 824, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 898, entitled:

An Act to amend Section 322 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further defining eligibility for the office of school director.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing attendance of school directors at meetings of educational or financial advantage to the district; and providing for the payment of their expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 912, entitled:



An Act creating a Commission on Reorganization of the Executive Branch of the Commonwealth; providing for the membership of such Commission; prescribing its powers and duties, and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1234, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and providing penalties" by further regulating the giving of treatments away from beauty culture shops and by students in beauty culture schools and permitting educational demonstrations on Sunday

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1651, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the

number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1676, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1690, entitled:

An Act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the use and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employes' Retirement Board and Fund.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1693, entitled

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions further providing for the disposition of moneys received hereunder and changing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations join-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations join-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1697, entitled:

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and

taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation on the board of directors of union and merged school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor of the Commonwealth:

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 4, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Colgan, R. D. No. 1, Cherry Tree, Indiana County, for appointment of Justice of the Peace in and for the Township of Montgomery, Indiana County, until the first Monday of January 1954, vice Joe Williams, resigned.

JOHN S. FINE.

#### MEMBERS OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Susquehanna County Board of Assistance:

Frank Bunnell (Republican), Springville, Susquehanna County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Byron Benninger, Dimock, whose term expired.

Mrs. Emma E White (Republican), 68 Church Street, Montrose, Susquehanna County, to serve until December 31, 1951, and until her successor is duly appointed and qualified, vice Mrs. Elizabeth Mack, Montrose, resigned.



Leon Entrot (Republican), Uniondale, Susquehanna County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Edmund Tierney, Susquehanna Depot, resigned.

JOHN S. FINE.

#### MEMBER OF THE CHESTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Chester County Board of Assistance:

Mrs. Ellen W. Kraus (Republican), West Chester, from February 15, 1950, until December 31, 1952.

J. Elmer Gotwals (Republican), Phoenixville, from February 15, 1950, until December 31, 1952.

Milton Apfelbaum (Democrat), Coatesville, from August 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Mrs. Eugenia Cassatt Davis (Republican), Berwyn, from January 1, 1951, until December 31, 1953.

Sidney B. Hutton (Republican), West Grove, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Probert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallory,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer
Haluska,			

NAYS—0

All of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do not rise.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

#### PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, with the permission of the Members of the Senate, I would ask to take a few minutes to run through the second battle of Bushy Run.

The PRESIDING OFFICER. The gentleman from Westmoreland, Mr. Dent, may proceed.

Mr. DENT. Mr. President, some of these releases went out and erroneously gave out the information the battle of Bushy Run was part of the French and Indian War, and some citizen back home who knows all about that battle from memory corrected me and wants me to correct the record so that it is known that this was a war between the Colonials and British against the French and Indians. He wants me also to say to the Members of the Senate that this was part of Pontiac's war and not in any way connected with the French and Indian War. He wants me further to state that the fifty-five soldiers in question are the dead ones; that there were quite a few who were not killed, and that this was a great battle and that five hundred Colonials, under Colonel Bouquet, a Swiss, were fighting in the pay of the British, and it was due to the fact that he was a Swiss mercenary, that the British never paid him the great honor that was his due. I think the British ought to be sent a copy of this statement.

Further than that, Mr. President, he wants us to know that there were five hundred American Colonials, including women and children, who were beseiged at Pittsburgh, at Fort Pitt, and that the British gave up the fight and, according to him, surrendered without a battle to the French, and that only a handful of men were under Colonel Bouquet. This man said that Mr. Braddock was a stupid, obstinate fool. He also said that Forbes may have been a good man, but he obstinately insisted on building his own road through the wilderness instead of using the southern road through some other section.

Mr. President, I want the people to know that this is a great institution out there, and that we in Westmoreland County are very proud of this battlefield. I think that everybody here ought to go along with me in insisting that the General State Authority purchase that particular piece of land. I further want to state, too, that a statement which he makes here is very important, and I want to call it to the attention of the Pittsburgh members of Allegheny County. This gentleman says, "I say we should not only have a fitting memorial at Bushy Run, but we should also name one of the new buildings at the Point after Colonel Bouquet. He said this as an instruction to me. "As you are the State Senator from the district where Bouquet saved the lives of those surrounded at Fort Pitt, and saved Pittsburgh"—I always did say that Pittsburgh ought to bless Westmoreland County because we have saved them in the early American days and we are still doing it according to the papers. . . ." "I think you should become one of the principal people to



work in this regard." He said, "I am not a historical crank, nor a Swiss, nor am I a Britian-baiter. I belong to no societies or groups, but as a Pittsburger who loves fair play I think that Grant, Braddock and Forbes were bums, and Bouquet should have the honor due him."

I therefore move, Mr. President, that this Senate, if the opportunity presents itself, accord to Colonel Bouquet in the battlefield at Bushy Run the honor due that section of Pennsylvania.

Mr. WALKER. Mr. President, I would like to advise the gentlemen of the Senate that the Rules Committee, at their very next meeting, will seriously consider the recommendation which we have just received, recommending the

distinguished gentleman from Westmoreland for the Loyal Order of the Purple Heart for the wounds he has received in the battles of Bushy Run.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, December 6, 1951, at 1 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:19 o'clock, p. m., Eastern Standard Time, until Thursday, December 6, 1951, at 1 o'clock, p. m., Eastern Standard Time.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., THURSDAY, DECEMBER 6, 1951.

No. 97.

## SENATE

THURSDAY, December 6, 1951.

The Senate met at 1 o'clock, p. m., Eastern Standard Time.

By appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

## PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D. D., pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray. O Lord, our God, again we call upon Thee and pause in reverence before Thee.

We need not tell Thee our needs nor inform Thee of our problems, yet we need to remind ourselves constantly of Thy concern for us, of Thy power to guide and help. So teach us a deeper faith in Thee, we beseech Thee, and a greater kindness with each other. Prosper the Commonwealth, preserve our Nation, and sustain these Senators in the highest traditions of public service.

In Jesus name, Amen.

## JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. SNOWDEN, further reading was dispensed with, and the Journal was approved.

## COMMUNICATIONS

Mr. RUTH. Mr. President, I have received a telegram, which I wish to have spread upon the record.

Western Union

Sen. Frank Ruth

Senate Office Bldg., Harrisburg Penn.

Recommend legislation be enacted to prevent future bus strikes such as the one we are experiencing now in Reading. Innocent people of the community are suffering undue hardships that could normally be avoided.

Sincerely

James H. Mantis, Chairman, Merchants of Reading  
Penn Street, Reading, Pa.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate

do now take a recess for ten minutes, to permit a meeting of the Committee on Finance.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## EXECUTIVE NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the following nominations made by His Excellency, the Governor, which were reported from the Committee on Executive Nominations with a favorable recommendation: Victor C. Diehm, Member of the Board of Trustees of Bloomsburg State Teachers' College; Members of the Philadelphia County Board of Assistance; Edgar Dow Sibley, Member of the State Registration Board for Professional Engineers; Members of the Pennsylvania Aeronautics Commission; Dr. James I. Pritchard, Sr., Member of the State Board of Chiropractic Examiners; Lynn Frick, Member of the Philadelphia County Board of Assistance; and Members of the State Council for the Blind.

The nominations were read as follows:

## MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Victor C. Diehm, 627 West Diamond Avenue, Hazleton, Luzerne County, as a Member of the Board of Trustees of Bloomsburg State Teachers' College, to serve until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

## MEMBERS OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, May 23, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Philadelphia County Board of Assistance:

Joseph A. Faison (Republican), Philadelphia, from January 26, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Louis Glazer (Republican), Philadelphia, from April 19, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Miss Marion E. Buzby (Republican), Philadelphia, from September 22, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Harry J. Magee, Jr. (Republican), Philadelphia, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

J. Griffith Stringfield (Republican), Philadelphia, from January 1, 1951, until December 31, 1952, and until his successor is duly appointed and qualified.

Charles A. Cavanaugh (Republican), Philadelphia, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

William H. Godfrey (Democrat), Philadelphia, from January 1, 1951, until December 31, 1952, and until his successor is duly appointed and qualified.

Miss Marie DeBacker (Republican), Philadelphia, from January 1, 1951, until December 31, 1953, and until her successor is duly appointed and qualified.

JOHN S. FINE.

#### MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edgar Dow Sibley, 412 Washington Street, Reading, Berks County, for reappointment as a Member of the State Registration Board for Professional Engineers, for the term of six years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### MEMBERS OF THE PENNSYLVANIA AERONAUTICS COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Pennsylvania Aeronautics Commission:

Ralph C. Hutchison, Easton, Northampton County, to serve until June 2, 1955, and until his successor shall be duly appointed and shall have qualified.

Alan M. Scaife, Pittsburgh, Allegheny County, to serve until March 6, 1955, and until his successor shall be duly appointed and shall have qualified.

William R. McMillen, Black Lick, Indiana County, to serve until December 1, 1952, and until his successor shall be duly appointed and shall have qualified.

Charles C. Smith, Mt. Airy, Philadelphia, Philadelphia County, to serve until December 1, 1952, and until his successor shall be duly appointed and shall have qualified.

T. Newell Wood, Alderson, Luzerne County, to serve until December 1, 1954, and until his successor shall be duly appointed and shall have qualified.

JOHN S. FINE.

#### MEMBER OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. James I. Pritchard, Sr., Reading, Berks County, for appointment as a member of the State Board of Chiropractic

Examiners, from July 15, 1949, for the term of four years, and until his successor is appointed and qualified.

JOHN S. FINE.

#### MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 16, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lynn Frick (Republican), 1312 Orthodox Street, Philadelphia, Philadelphia County, for appointment as a Member of the Philadelphia County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Miss Florence Cowanova, resigned.

JOHN S. FINE.

#### MEMBERS OF THE STATE COUNCIL FOR THE BLIND

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 31, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Council for the Blind:

William Taylor, Jr., Esq., Media, Delaware County, for the term of four years, and until his successor shall have been appointed and qualified. (Reappointment)

C. T. Troy, Towanda, Bradford County, from November 4, 1949, for the term of four years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations. Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to the nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Walker,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.



## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## THIRD READING CALENDAR

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 350, as follows:

An Act to further amend clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause two of section 1709 of the act ap-

proved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 1709 Tax Levies The board of township commissioners may levy taxes upon all property and upon all occupations within the township made taxable for township purposes as ascertained by the valuation for county purposes made by the assessors of the several counties of this Commonwealth for the year for which the township taxes are levied for the purposes and at the rate herein-after specified Provided however that such valuation shall be subject to correction by the county commissioners of the several counties and to appeal by the taxable persons in accordance with existing laws

\* \* \* \* \*

Two [A tax] An Annual tax not exceeding one mill for the purpose of building and maintaining suitable places for the housing of fire apparatus and for the purpose of purchasing and maintaining fire apparatus the receipts from said tax for maintenance to be divided among [the places maintained] the fire companies of the township

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane.	Haluska.	McPherson, Jr..	Stiefel.
Barr.	Holland.	Meade.	Taylor.
Barrett.	Kephart.	Neff	Toole.
Berger.	Kessler.	Pechan.	Wade.
Blass.	Lane.	Peelor.	Wagner.
Byrne.	Leader.	Probert.	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Dent.	Mallery.	Ruth.	Wolfe.
DiSilvestro.	McCreesh.	Silver.	Wood.
Fleming.	McGinnis.	Snowden.	Yosko.
Freed.	McMenamin.	Stevenson.	Hare.

Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 431, on third reading, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and

the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that House Bill No. 623, on third reading, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed

be recommitted to the Committee on Banking.

Mr. FREED. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 691, as follows:

An Act to further amend Section 444 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the maximum appropriation which may be made for agricultural extension work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 444 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-

eighth day of June one thousand nine hundred forty-seven (P. L. 1004) is hereby further amended to read as follows

Section 444 Agricultural Extension Work The board of commissioners may appropriate a sum not to exceed [seven thousand five hundred dollars (\$7,500)] twelve thousand dollars (\$12,000) annually for agricultural extension work in cooperation with the Pennsylvania State College in encouraging improved methods of farm management and home economics and giving practical instruction and demonstrations in agriculture for the purpose of improving and developing the agricultural resources of the county The money so appropriated shall be expended according to rules and regulations prescribed or approved by the board of commissioners The board of commissioners may also where practicable and desirable provide offices in the county court house for headquarters for such cooperative work

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed.	McMenamin,	Stevenson.	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 877, as follows:

An Act fixing the fees and mileage of the coroner in counties of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the coroner of each county of the fourth class shall be as follows For viewing a dead body eleven dollars summoning and qualifying inquest drawing and returning inquisition seven dollars fifty cents summoning and qualifying each witness one dollar to be paid out of the goods chattels lands or tenements of the slayer (in cases of murder or manslaughter) if any he hath if otherwise by the county with mileage at the rate of ten cents for each mile circular traveled from the court house to the place of viewing the body executing any process or writs of any kind the same fees as are allowed to the sheriff and the same mileage

Section 2 Section XIX of the act approved the twenty-eighth day of March one thousand eight hundred fourteen (P. L. 352) entitled "An act establishing a Fee bill" as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 168) is hereby repealed as to counties of the fourth class

And said bill having been read at length the third time, and agreed to,



On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 886, as follows:

An Act validating county treasurer's deeds where the acknowledgment of such deed or deeds was defective in any respect or sale thereof not legally returned if in fact acknowledgment was taken before any officer duly authorized by law to take acknowledgments and return duly made at a subsequent term

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land has been sold by the county treasurer of any county for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land and the county treasurer in pursuance of such sale executed a deed for said lands and acknowledgment of such deed by the county treasurer was defective in any respect or where such deed was not acknowledged in open court or where the records of the court failed to show a minute of such acknowledgment in open court or where the county treasurer's return to any tax sale so made was not made to the next term such sale and such deed shall not be invalidated by reason of such defective acknowledgment or by reason of the fact that such deed was not acknowledged in open court or by reason of the fact that the records of the court fail to show a minute of such acknowledgment in open court or for failure to make return of any tax sale so made to the next term if in all other respects the law relating to the holding of such sale were fully complied with and the deed was in fact acknowledged before an officer duly authorized by law to take acknowledgments and a return thereof made at a subsequent term of court and all such treasurer's sales and treasurer's deeds are hereby ratified confirmed and validated and the title to any such land purchased by any person or by the county commissioners of any county at such treasurer's sale and the deed executed and acknowledged to such purchaser is hereby declared to be as valid as if such deed had been acknowledged in open court proper minute thereof made and return to said tax sale duly made in full conformity with the law relating thereto

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 891, as follows:

An Act to further amend section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting employees of school districts to serve as councilmen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted revised and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No. 164) is hereby further amended to read as follows

Section 1001 Qualifications of Councilmen The councilmen shall be at least twenty-five years of age and shall be elected by the electors at large They shall have been residents of the city wherein they shall be elected throughout one year next before their election and shall reside therein throughout their term of service No officer of the United States or of the Commonwealth of Pennsylvania (except notaries public or officers of the militia) nor any county officer nor any officer [or employee] of any school district embraced in the territory of said city nor any officer or employee of said city or of any department thereof nor any member or employee of a municipality authority of which the city is a member shall serve as a councilman during his continuance or employment except as herein-after provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,

DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,	Stevenson,	Hare,
Haluska,	McPherson, Jr.,	Stiefel,	Presiding Officer,

NAYS—1

Chapman.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 895, as follows:

An Act to further amend Section 652 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the payment of expenses to members of recreation boards in counties of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 652 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 443) is hereby further amended to read as follows

Section 652 Fair Park and Recreation Boards If the county commissioners shall determine that the power to supervise fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools or recreation centers shall be exercised by a park board or recreation board or fair board they may establish in said county such fair board park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the respective county commissioners Either such boards when established shall consist of not less than five persons The members of such boards shall be appointed by the commissioners of such county and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the terms of all the members shall not expire in the same year Members of such board shall serve without pay but in counties of the third class members of the recreation board shall be allowed their expenses actually and necessarily incurred in going to attending and returning from monthly meetings of the board The total amount of expenses any member shall receive per year shall not exceed seventy-five (\$75.00) dollars which shall be paid by the county by orders drawn on the county treasurer Women shall be eligible for appointment Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallory,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 904, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United State Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by requiring the posting of lists containing the names addresses and amount of assistance granted to certain persons receiving assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enact as follows

Section 1 Section 7 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby amended by adding at the end thereof a new clause to read as follows

Section 7 Powers and Duties of County Boards of Assistance Each county board of assistance shall have the power and its duty shall be

\* \* \* \* \*

(p) To post every three months at the building used for county court house purposes or at any other county or municipal building lists containing the names addresses and amounts of assistance granted to all persons then receiving assistance pursuant to the provisions of clause (d) of section nine of this act within the county for which such local board has been established

And said bill having been read at length the third time, and agreed to,

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,



And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, I am opposed to this bill and I should like to state my reasons for it.

Mr. President, public assistance, since its inception, has been intended for those unfortunates in our Commonwealth who need help. It is true that there is some chiseling going on. I think in a program of this kind, of necessity, chiseling creeps in, but that should not be the reason why we should pass a bill to punish some eighty-five or ninety per cent of relief recipients. I think a better plan would be to insist upon greater investigation to wipe out the chislers. Specifically, I should like to list the reasons for my opposition to this bill as follows:

(a) Would apply a punitive measure to thousands of decent, self-respecting people in an effort to stamp out the relatively few who chisel and cheat.

(b) Would, in doing so, defeat the chief purpose of public assistance which is "to encourage self-respect, self-dependency, and the desire to be a good citizen and useful to society."

(c) Would be a violation of "privileged information" in that it would open up the intimate affairs of family life to neighborhood gossip and the idle speculation of the public at large.

(d) Would not accomplish the desired purpose, there being evidence that such a punitive measure is more likely to deter those who genuinely need public assistance than those who are trading on it as cheats and chislers.

(e) Would provide no evidence of the validity of individual expenditures for public assistance and would open up the names for commercial and or political uses notwithstanding any intent to the contrary.

Mr. LANE. Mr. President, I rise to support the position taken by Senator Silvert, from Philadelphia County. I am wondering if the membership of the Senate would ever consider posting the names of all those unfortunates who now reside in public institutions. I do not believe there would be one man here who would vote for that type of legislation, and yet here we are endeavoring to lower the dignity of those unfortunates who have to have relief, those persons who, due to circumstances beyond their control, must rely upon society and upon the State for proper subsistence.

Mr. President, I agree there has been chiseling, but I say the corrective measure is this, enact proper legislation to make sure that the investigators are properly qualified to go out and check on those who apply for relief, but I do not believe that we should penalize all these people who must apply for public relief, due to the fact that there are a few criminals that are endeavoring to chisel in the State of Pennsylvania. Therefore, I ask the Membership to oppose this bill on humane merits alone. I do not believe it is the proper type of legislation to be brought before this Senate.

Mr. BARR. Mr. President, when I was in Illinois this summer attending a wedding of a member of my family, I happened to pick up a paper in Chicago and noted that day that the Governor of Illinois had signed into law a bill containing practically the same language as is contained in this bill. This could only have been done after

the Federal Government amended the Social Security Act. Previous to that time, the States could not derive their money from the Federal Government if they had this type of legislation. Now this Governor and this General Assembly in Illinois is a Democratic Administration, and I take some pride in this, that I suggested to the gentleman whose name is on the bill and who is presiding today, that perhaps we should introduce a bill such as this. I think he will bear me out that I am correct.

Mr. DENT. Mr. President, this particular bill has been the subject of controversy in practically every State in the Union. It certainly created considerable discussion in the Federal Congress. However, there is one point that is being missed by everyone, in my opinion.

Mr. President, I think Senator Lane hit the nail pretty close to the head when he said there are other considerations in the public assistance program that are just as serious as that of the so-called chiseling relief recipient. One of the considerations, my fellow colleagues, is this. How many of you study the reports given by the Department of Public Assistance every month to the Members of the General Assembly? How many of you know that five thousand persons left public assistance in the month of September, and yet the total cost of relief in the State of Pennsylvania did not go down proportionately to the amount that it should be reduced, if we are running on a per person cost for public assistance. For instance, here are some figures that interest me. The administrative cost, mind you, the administrative cost in the month of October, with 260,000 persons receiving assistance in all categories, was \$932,944, or ten and two-tenth per cent of the entire relief bill in the Commonwealth of Pennsylvania.

Mr. President, you cannot keep building up administrative costs and details for the Administration to administer the granting of relief and expect to ever have a real definite savings in the amount spent for public assistance. On the basis of that figure alone, we will spend in this biennium approximately \$25,000,000 for administrative costs alone. The administrative pay roll cost in Pennsylvania for all departments is \$77,000,000. How long can we sit idly by and watch this monstrosity keep growing, festering itself upon the body politic of this Commonwealth, and then, because it deals with suffering and poverty, we say the subject is taboo and we cannot delve into it and discuss it intelligently? First of all, I do not think any Member of this Senate wants to take from a needy, deserving person in the Commonwealth the aid and assistance that we feel is due that particular person. The question of charity is one that needs no legislation. Every person with a human soul realizes that those who have must try to give to those who have not.

Mr. President, on the question of publication of names, I would say this, and I say it advisedly to everyone. It is a great step and it is one that has many many angles to it. I suggest to the sponsor of the bill—I did not know we were so far along on the particular bill or I would have talked it over with him prior to now—that I believe the first move ought to be to record publicly and publish the names of all those on public assistance who are in the employable ages. I would say that from the age of eighteen to what industry, in most cases, considers the top level of employment, or approximately forty-five years of age, that the names of those persons who are

receiving assistance be published. If we start in that particular category, we will find that we are attacking the problem at the sore spot.

Mr. President, a great deal of our trouble is caused by the so-called floaters who come into Pennsylvania. About two weeks ago I received a telephone call from a person who gave me his name, and he said that he was having trouble getting his relief in Pennsylvania, and I said, "Well, what kind of trouble are you having?" He said, "I came from New Jersey, and I have been here one year on November 11." He said, "I applied for relief and I have not heard anything yet." Under the law, he had to be here one year, and I said to him, "Well, when did you come to Pennsylvania?" He said, "November 11, last year." Now, they tell me, and it is worthy of consideration by the Senate, that in the city of Philadelphia there are a great many transient workers who come to work in Jersey, in the neighboring truck patches and truck farms. They are brought in as transient labor or field labor by the thousands. During their short stay in the New Jersey fields they drift over into Philadelphia, and there they get to talking to some of their friends who show them an easy way out, and so, instead of all of them returning to the spot from whence they came, they stay in Philadelphia and pretty soon the relief load in this Commonwealth is bearing the brunt of this particular type of relief recipient.

Mr. President, I do not have the data before me, because I did not realize we were at this point, but I think my memory will serve me pretty close to being right that the average in the State for persons of employable age or single persons, we might say, in the various counties who are on relief is a seventeen per cent minus. I think that figure is pretty close to being right. I hope I am not held to it because I am quoting from memory, and in Philadelphia it is forty-one per cent. Now, in that particular category, in my opinion, is the chiseling. In the other categories, aid to dependent children, blind pensions and the so-called categorical reliefs, there is not too much of an opportunity for any known chiseler to become attached to the relief rolls and stay there, but in the general assistance program is where you will find that a great deal of the so-called unnecessary expense can be found, but the greatest crime of all is the spending of approximately ten cents out of every dollar to publish booklets that go out to persons on relief, telling them about "A Haven For The Aged," I believe was the name of one of the books, and "How To Get Your Glasses Fitted" was another beautiful tome that went out.

Mr. President and Members of the Senate, the one thing we must remember is that we must never create a sense of permanency in public assistance. We must get away from this feeling that this is a permanent situation. Oh, I know we have had it since 1933, I am aware of that, but I also know that we have created in Pennsylvania a permanent setup, and there are a great many relief recipients in this Commonwealth who think nothing of it, who believe that that is a proper place for them to be. That should be the last philosophy to be allowed to be created and believed in in this Commonwealth. Relief in any instance ought to be nothing except a temporary situation. Oh, I know there are a great many of the oldsters who will never get a job, and I have no complaints with relief to that particular category, but as we get

into the application of the Social Security laws and the pension plans of the various industries, that particular category will no longer be a problem for public assistance. The blind assistance will probably always be with us in a greater or lesser degree. The aid to dependent children will be with us to some extent, but the application of your Social Security laws will relieve that situation in time. Seriously, I say to this General Assembly, and I said it in February, in March, in April, in May and on down through, we should not adjourn this Session of the Legislature without doing something about breaking up this monstrosity called the Department of Public Assistance. That is not said in any sense as a character assassination against those who are in that department command at the moment. I do not know anything about them, I think they are just following the regular cut that they found when they came there. I think it is something that has grown up through the years, and no individual person is responsible for it. This is not a criticism of Mrs. Evans or any of her department heads, but I say that we have allowed an evil to grow up in this State.

Mr. President, you say this is one step in the right direction. Maybe it is, but it is only aiming at one particular phase of it. You are not aiming at the core, at the sore spot, at the fester, that, to my mind, is poisoning the whole system. We should take a definite position this Session. We have been here long enough to have done the study ourselves this year, but I understand there is a Hoover Commission or some kind of a commission—the name doesn't even sound good—being created here to study governmental expenses and governmental costs, and all of the things that go into it. Here is something a great many citizens do not know. In the month of October, the year of our Lord 1951, we spent nine hundred two thousand some odd dollars in the Commonwealth. We spent that for administrative cost, which is ten per cent of the \$9,642,000 that we spent for public assistance in the month of October. Let us see how that breaks down.

Mr. President, the State pays \$5,346,000. Your Federal Government, the much maligned Federal Government, paid to the State of Pennsylvania in that particular month \$4,295,000 towards the relief load in the Commonwealth of Pennsylvania, almost, well, I would say that it is about forty-four and one-half per cent on a rough calculation, of the entire bill for public assistance in this Commonwealth.

Now, Mr. President, you can post all the names you want to, and you might go a little further and post the names of the employees of the Department of Public Assistance, too, because they are all in the same category. They are in this Department of Public Assistance that requires a major operation. I have held forth for years and I still maintain that the only thing we can do to intelligently handle relief in this Commonwealth is to give back to the Department of Welfare the categorical reliefs where they belong under the constitutional provisions of this Commonwealth. Give them to the Department of Welfare, make the administrative cost be carried, if it is at all possible, by the local communities where the supervision will be on a neighborly basis. Then take the public assistance for those who are on general assistance in the Commonwealth and pay that, if you want, through an agency known as the General Assistance Fund or anything you want to call it, but do not allow it to get to



be the greatest money spending unit in the Commonwealth. Twenty-five millions of dollars is estimated, and in 1949 to 1951 we spent \$28,000,000 for relief administration alone in this Commonwealth.

Mr. President, I was privileged to hear a speaker from Washington, D. C., just a week ago, speaking at a State Chamber of Commerce luncheon, in which he quoted the expenditures of the Federal Government. One of the items that he expressed great concern over was the fact that in the Federal Government it cost something like \$10,000 to buy something like \$30,000 worth of goods, and I said to that gentleman and to the members assembled that we had one that would top that. We had in Pennsylvania an agency that spent \$28,000,000 to give away \$280,000,000. Now, I think you ought to take time to study this problem. You have 260,000 persons on relief. Now, persons means children, adults and all. It means the aged, it means the blind, it means the halt, it means the weary, it means the lame, it means the unemployed, and you have a total of 260,000. I venture to say that you cannot find 260,000 other citizens of this Commonwealth who are having spent from their own pay rolls that amount of money to keep their families together. I do not believe that you can find in this Commonwealth, take the ordinary working man and take 260,000 of those individuals and multiply the amounts that they spend for the so-called necessities that they are supposed to be getting on public assistance, a sum total of \$280,000,000.

Now, Mr. President, I think that the time has come when we should do more than just post names, and I would recommend that before you even pass this bill, if the sponsor can see his way clear to do so, that we start out by posting only the names of those employable age persons. If, in the minds of some of the individuals in this Senate, there is a question as to the decency of the proposition; looking at it on a matter of fact cold economic basis there is nothing wrong with posting all the names, but if we get into the humanitarian angle, and if some feel that it is only charitable to give charity and you should not expose those who receive the charity to ridicule, then, of course, there is a moral question that must be resolved. I personally would vote in a minute to take the names of the employable persons who are on public assistance in this Commonwealth and post those names. You know you will be back here inside of a year, if we ever get out, and at that time the new Legislature can see the results of this particular act and can see whether or not the further posting of all the names would be proper, but at this time I would suggest to the sponsor of the act, if he can see his way clear to do so, that the bill go over at this time rather than take a vote on it in order that a small committee can meet with him and try to work out a solution that is best suited for the purposes that we are trying to attain.

Mr. LANE. Mr. President, I sat here in this Session for quite a long time. I listened to a lot of hog wash about those that are on public relief, but you know, Mr. President, I never heard one statement about the crooks and the racketeers that infest Pennsylvania, and yet at the same time they want to attack those unfortunates that cannot protect themselves. They talk about the amount of money that is being spent in Pennsylvania today, and I want you to know, as far as aid to dependent children is concerned, my county of Washington spends

\$125,000 a year, and if the necessity arises, we will double the amount to take care of those unfortunate children. That is the position I take.

Mr. President, Senator Barr made the statement about a Democratic Administration passing this legislation. In reply to his statement, I will say this. Democrats make mistakes, too, and they certainly made a step in the wrong direction. I do not agree that this is a step in the right direction. I say to you that we are shortsighted. We sit here and talk and talk and talk about those poor unfortunates. Of course, we spend money on them. That is our responsibility, that is what we pay taxes for, and if it costs more money, let us spend it, but I do not think we should pass this legislation because what you are doing, you take an old man that has worked all his life, who has bought a little home. He posts a bond so he can get a little bit of relief, yet you are going to put his name up in public places. You would not put the names of those who are in county homes in public places. Well, if we are going to do that, let us post the names of all the criminals that are convicted in the sixty-seven counties of this State. Let us post them, too. They are the ones who committed the crimes, not those old people that need relief. I say to you we should kill this bill here and now.

Mr. McGINNIS. Mr. President, in my humble opinion, this bill is not needed. I am going to state at the outset that it is my personal opinion that relief in Pennsylvania has been administered well from the beginning. It is the toughest job of any department in this State. I tell you that the troubles they have and what they have got to go through to administer relief in Pennsylvania is a terrific job, and in my district, and I am quite familiar with it, it is my opinion that those who administer relief are too tough, not too liberal. They investigate thoroughly, and anybody they feel does not deserve relief is knocked off, but those people who are on relief, they are unfortunate. A lot of them are just unlucky and, perhaps, there are a lot of Senators sitting on this floor that if they had had the bad luck that most of those people on relief have had, they would be on the relief rolls, too.

Mr. President, I feel that a bill that will publicize and humiliate the unfortunates that are on relief is not necessary in this great State of Pennsylvania.

Mr. HOLLAND. Mr. President, I do not believe that this is the approach to solve the problem. At the beginning of this Session, after considerable study and consultations with men who have administered relief throughout the State in many counties, I introduced a bill in which we would combine the Department of Public Assistance, the Unemployment Insurance, the Rehabilitation and also the Employment Office. I think before we would go ahead and publish the names of everyone who is on relief, we should first find out how many of those are employable.

Now, Mr. President, I find that those who are in the age bracket in the Allegheny County district and could be employed are suffering from many little physical defects that could be corrected by an operation. There are many of these men and women who are suffering from hernias, which were caused by hard work, lack of medical attention by the corporation by which they were employed. There are many of these who suffer from bad hearing, bad eyesight, and all of these things could be corrected. If the Department of Rehabilitation were part of the Department of Public Assistance, I believe that

thousands of people could be taken away from these rolls.

Mr. President, I would like to just for a moment point out what happens when the man with a family is laid off. A man with a family is laid off and his income is such that he lives up to every cent of it, which he receives on payday. There is nothing in reserve. He is laid off, and he immediately goes and applies for unemployment compensation. Unemployment compensation registers him and sends him over to the employment office. All these are under different heads. They send him out on a job, they find out that he has some physical defect that does not permit him to be accepted, so he goes back to the unemployment compensation and they register him again, and in the meantime he has to go on emergency relief and he goes on emergency relief. They send him out on another job, and everywhere he goes it is the same story. I can name hundreds of people that I have at home, which I will make a matter of record at any date, who have gone out after job after job and were turned down for some physical defect which could be fixed up by the Rehabilitation Department. So, the result was that he lands on relief and remains on relief.

Now, Mr. President, I do not think that man's name should be published as a do-nothing or a lazy man, because he has tried and tried and tried. I would ask the sponsor of this bill if he would only go only for one day, and agree that the only people whose names will be published will be those within the age limits who could be employed by industry. In that way we can find out why they are not employed, why they cannot get jobs, and I think eventually when we come back next year we will decide that it is better to consolidate these departments, because each department depends upon the other to do a good job, and if they are under one head you have a coordination of the departments and you would have a considerable saving to the taxpayers of Pennsylvania.

Mr. President, I would ask Mr. Hare, the sponsor of this bill, if he would not very kindly go along with an amendment at this time to just post those who are within the employable age, and I think that would be the first start to cut off quite a few people who now receive relief, because we can find ways and means to get them jobs.

Mr. BARR. Mr. President, not very often does someone change their mind on the floor of the Senate, but I do think that Senator Dent's amendment that he spoke of should be added to this bill. So, I further request that the bill go over in order, and maybe we can get the amendment prepared this afternoon and vote on the bill this evening.

Mr. ROSENFELD. Mr. President, I have been sitting here waiting for somebody to get up and tell me what is intended by this bill, and I must assume, since the bill was introduced and was considered by a committee and came out on the floor, that there is somebody here who will talk for it. I will pause for thirty seconds, if anybody wants to get up and explain what he thinks that this bill is intended to do.

Mr. WALKER. Mr. President, do I understand from the gentleman from Philadelphia that I am to limit this to thirty seconds?

Mr. ROSENFELD. Mr. President, the gentleman from Allegheny, Senator Walker, may speak as long as he likes.

Mr. WALKER. Mr. President, I am very deeply in-

terested in the discussion on the bill from the other side. I appreciate the fact that the approach to the solution of this question is not a political approach. It is one in which all Members of the Senate will endeavor to solve a very difficult social problem.

Mr. President, some of us can remember, as a matter of fact, I think some of the gentlemen of the Senate were Members of the General Assembly at the time the Department of Public Assistance was created. It was created after a very careful study by a group of citizens all over the Commonwealth, and the committee made a report. There was a Majority Report and a Minority Report. The Majority Report favored the centralization of assistance, the Minority Report pointed out that certain things would happen if this gigantic department were centralized here in Harrisburg. What the Minority set forth in their report, unfortunately, has turned out to be true and, as the Minority Leader has suggested in his remarks, we have a department where the administration of relief now exceeds the amount that was originally spent for relief, even in the early days when I first became a Member of the Senate.

Mr. President, I have listened to a great many plans advocated on the floor of the Senate about how we can streamline and reduce the cost of public assistance in Pennsylvania without injuring the people who are honestly entitled to help or to relief. As you know, the relief rolls make up a variety of specific approaches, and some of them are bad. The only way they could be reduced would be by death. Some of them are general assistance, people who are temporarily inconvenienced because of their economic situation, and those were supposed to be temporary cases.

The trouble has been, Mr. President, that there has crept into our society a peculiar philosophy. It is peculiar in this great Republic because this Republic was founded with the understanding that people would carve out for themselves the opportunities that this great Republic and this great land would give them. There has crept into this Country a philosophy that the Nation, by and large, owes all the people a living, and regardless of the attempt made by the individual to secure that living by his own efforts, that the Nation should take care of them. This Department of Public Assistance here in Pennsylvania is only one of a large number of State-wide departments that exist all over the United States. The Federal Department in Washington has viewed with alarm for a number of years the continued growth of the demands for public assistance. They have seen this thing grow and grow and grow, until they realized, too, that something must be done to curb this philosophy that the Nation or the Country owes everybody a living.

Mr. President, relief was instituted under the Goodrich plan to temporarily help those who for the moment could not help themselves. People now have grown so accustomed, and I am speaking not of the poor unfortunates who are trying to get out from under the relief rolls, but there are certain groups of people on relief who, unfortunately for themselves as well as for society as a whole, have taken the position that this is their due, that by law they are entitled to this, and they make no effort whatsoever to ever change their social standing or their economic standing by doing something for themselves. It has almost become a profession in itself.



Mr. President, coupled with this we have over here a Department of Public Assistance that has been viewed with suspicion year in and year out for a good many years by a lot of the Members of the General Assembly. We have tried desperately to find ways and means of streamlining this Department. One suggestion has been made here three or four times on the floor of the Senate that I think has a lot of merit to it, and that is a conscientious study and the return of the public assistance problem to the political subdivisions at the county level. If that were done, the people administering government at the county level would be, perhaps, in a better position, being closer to it, to see to it that those who are not entitled to relief are eliminated from the rolls and those unfortunates who cannot help themselves are given the opportunity to receive the relief that is set up in the act. At the same time, we would eliminate the decentralization of government where for years people who have been specifically trained to administer relief have continued this department in operation.

Mr. President, here is a bill that, as I recall, follows another bill bearing the name of the same sponsor. If memory serves me correctly, Mr. President, this is not the first bill that the sponsor of this particular measure offered dealing with this specific subject. This particular bill was only brought before the Senate after the Federal Government, fully realizing the seriousness of the situation confronting them, legalized the publication of these names if the State involved so desired. It was the consensus of opinion at the Federal level that the publication of these names would assist in cutting down on the relief rolls, and that is why the Federal Government legalized the publishing of these names. This bill, as my colleague from Allegheny has suggested, is patterned after the Illinois act, and there they feel that the act has been meritorious and that it has been productive of economy, and it is thought that this would also do the same thing. There is nothing that has a scientific breakdown in it as far as the bill is concerned.

Mr. President, I might say to Senator Rosenfeld that it simply authorizes or rather directs that the names of the people on relief be published so that the taxpayers involved can have an opportunity of reviewing it, and they will be published in a public place. My recollection of the act indicates that they would be published in the court house and/or the municipal building, and in Pittsburgh, particularly, it would probably mean the City-County Building or the Court House. I might say to the gentleman from Philadelphia that it is my opinion that if the names are published, take for example in the smaller political subdivisions like a township or a borough, the people who are on relief are not known even in the small towns as residents of that town. They get their checks from some obscure agency here in the city of Harrisburg. There is no local feeling or local interest or a local acceptance of responsibility, and for that reason the people back home are not appreciative of the fact that this relief load, like Topsy, has grown and that this relief load and this relief department will be with us forever if we do not do something about it.

Now, Mr. President, I agree with Senator Dent. I do not think this alone will solve the relief problem, but I think this bill will make a great contribution toward cutting down the relief rolls, and it is my sincere hope

that the Senate and the House will adopt this "Little Hoover Commission" bill that has been sponsored by Senator Wade, of Cumberland, and that the results of the investigation of that "Little Hoover Commission," or the results of the study, will dictate a remodeling of this Public Assistance Program so that we can, to a great extent, eliminate this department over there that has become such a burden and worry to every one of us.

Mr. President, I appreciate the very sincere desire on the part of every Member of this Senate to solve a very difficult problem. I say to the Senate, with all sincerity, I think this bill will help. I do not think it is the final solution, but at least it is a contribution toward the solution of a problem we are all anxious to arrive at.

Mr. ROSENFELD. Mr. President, I want to thank the Majority Leader for his excellent dissertation on the history of the Department of Public Assistance and for finally trying to answer the question I posed. It may be true, as the gentleman states, that this may help or that this may be the beginning of some help, but I think all of us are losing sight of the fact that we as human beings are forgetting about all of the principles of democracy, and humanity and all the religious teachings that we have ever had, personal freedom of the individual. We say to that individual on the one hand, "We are going to provide for your needs, we are going to do it through the Department of Public Assistance, we are going to appropriate money for that purpose." We do it because we feel it is our obligation to do it, and now we come along and we say, "However, coupled with that it our right to tell the world that you are the recipient of charity."

Now, Mr. President, I am not trying to detract from the problem that we have, and I know that there are many ways that we could begin to attack it, and at least in a decent fashion, but merely to get up here and to state that since a certain philosophy has grown up since the adoption of this kind of a program for the benefit of needy individuals, that, before, we have to forget about personal liberties and personal freedom, I think is ridiculous. Mr. President, I think we are being shortsighted. We would no more think of having the Department of Revenue publish a list of corporations that do not pay their taxes. We would no more think of having the various local political subdivisions publish the list of individuals who do not pay their taxes, and yet to people, some of whom are not entitled to this money, just as the very same groups are not entitled to take the position that they do not have to pay any taxes, we are taking a different position with this kind of individual because he is unfortunate. There are all kinds of chisellers, business chisellers, and relief chisellers. You will find chislers in every category of life, yet we single this group out to hit them because they cannot get up and defend themselves. Gentlemen, because this bill may help does not outweigh the principle of decency and human relationship, and I ask everybody to vote "no" on this measure.

Mr. LANE. Mr. President, I dislike very much to prolong this debate. However, in reply to some statements made by the Majority Leader, he said that it seems that it is becoming a profession to secure public relief. Now, those conditions might exist in his district, I do not know, but in my county of Washington, in my county

of Greene, I have worked closely with the Department of Public Assistance and I say to you that they have my respect, they have my confidence. I think they are doing a splendid job.

Mr. President, it is true that we may have a few chiselers. However, those cases are very isolated and very remote, and I say also, Mr. President, when you talk about the enormous sums that are being spent for public relief, I think a lot of us have lost sight of the fact that the purchasing power of our dollar today is approximately forty per cent.

In conclusion I want to say this to you. They talk about the people looking to government for help. Well, you know government is of the people, it is for the people and it is by the people. It is government's responsibility to maintain those that, due to circumstances beyond their control, cannot properly maintain themselves, and I say that we are making a terrible mistake if we, fifty Members of this Senate, vote to publish the names of these old people who in the evening of their lives are trying to eke out an existence until the last day. I say to you that it would be a terrible thing for us who are supposed to know a little bit about government to sit here and pass this type of legislation, and regardless of your political affiliations, and I know that you can see there is a difference of opinion over here, I think we should vote this bill down here and now, and leave the Joint State Government Commission go to work and find a better solution for it.

Mr. YOSKO. Mr. President, it is unfortunate sometimes that the honest have to suffer for the dishonest. This bill is aimed at the dishonest. I agree with others who spoke here this afternoon that, perhaps, this bill will not accomplish all the things that we would like to accomplish in the administration of public assistance, but I happen to be one of those Members of the Senate who has been complaining about inefficiencies, loose spending, waste, extravagance in the State Government. The report of the Joint State Government Commission, indicating that \$16,000,000 was handed out to chiselers during the last couple of years, was sufficient to convince me that something ought to be done to deter these chiselers from getting on the relief rolls. Heretofore, if a State would publish the names of those on relief, it would disqualify them from Federal funds, but this problem grew and grew and grew, the chiseler problem, and what happened? The Government met in conference back in September, and this was one of the major problems that was discussed, and it was the recommendation of the Governors' Conference to the Congress that the rule of the Federal Social Security Board be taken care of by granting those states the right to publish the names that wanted to publish them, so that when the last Federal tax bill was written, that provision was placed in the tax bill.

Mr. President, I happen to be an Executive Director of the State Auditors, Controllers and Treasurers, and when we met in Seattle during the recess period this question was discussed at length at that convention, and there a resolution was adopted calling upon the Congress to stipulate what is now the law, that is, permitting those states that so desire to publish those on the relief rolls without disqualification for Federal funds. So, I say, let us do something about it. This probably will not solve

the whole problem, but it will do something, it will deter the chiseler from applying for public assistance, at least I think it will. It will deter those dishonest people who work for the Department of Public Assistance from being careless in placing persons on the public assistance rolls. It will help to catch those dishonest employees in the Department of Public Assistance that might be engaged in some kind of a racket in placing people on the public assistance rolls, and then getting a kickback such as was disclosed in Philadelphia just a short time ago and is now being investigated. If you can eliminate enough of the people from the public assistance rolls who are not now entitled to public assistance, we can reduce expenditures to the extent where, perhaps, we can raise the budgets of those who are legitimately on the public assistance rolls.

Mr. President, I have had any number of old people come to my office and tell me that it is almost impossible for them to get along on the small amount of money that now constitutes their budgets, and I am one of those that would be for increasing those budgets so that they could live decently, these old people, but it is because of the money that is being paid out to these chiselers that has made public assistance cost the State the enormous sums that it is costing the State. I say that by eliminating chiselers we can probably allocate some of that money to those who are legitimately on the rolls and give them a little more to get along with. For that reason, I am going to vote for the bill.

Mr. NEFF. Mr. President, I do not wish to prolong the debate, but I think I might qualify my reasons for my position on this measure.

Mr. President, many months ago we had a discussion concerning relief here on the floor. During the course of that discussion, I spoke out against what I termed chiseling on relief, that it was costing the citizens of this Commonwealth many millions of dollars needlessly. At that time I was challenged by one of my colleagues on this side to demonstrate factually whether or not there was chiseling in the relief situation in Pennsylvania. I accepted the challenge and on my own did considerable investigating in my home district in the matter of relief appropriation, relief rolls and those receiving relief from the State there. Because of that investigation, I have come to feel more strongly about the need for stricter regulation in the relief system in Pennsylvania than ever before. I would be one of the last to say that the dignity of man should be measured by his financial standing. I abhor the thought that the aged, the blind, dependent children, should have their names placed in public places because they are defenseless. However, we do have thousands of chiselers, professional grafters, professional relief recipients in Pennsylvania, and I know of no other way than this to attack the problem.

Mr. President, I believe that the suggestion of the Minority Leader, Senator Dent, that the bill be passed over today and an amendment prepared so that we might qualify the listing of individuals, in keeping with the thoughts that I have had on the matter that those only in the employable ages be listed. However, if the sponsor of the bill and the Majority Party leadership will not agree to go along with the suggestion of the Minority Leader, I feel that I must vote for the measure.

Mr. President, to give you an example of what I found



in relief chiseling in Lawrence County, I found that of nine number writers consecutively arrested in Lawrence County, tried and convicted, four were on relief. I know they would not have been on relief had their names been posted in the court house, if the officials of the county, those who frequent the court house and are interested in these matters, had known that these number writers, known gamblers, common racketeers, were receiving relief. I found that a man who came into our county twelve years ago, after spending eight years on a Georgia chain gang and after having resided less than eighteen months in Lawrence County, has been for the full term of his residence in the county on relief, able-bodied, able to work, but unwilling to do so. He certainly is not a Pennsylvanian deserving of relief. The present relief setup in Pennsylvania breeds immorality. Case after case turned up during the course of the investigation where unwed women were having illegitimate children over the years, and profitably so because they increased the relief payments.

Now, Mr. President, how are we going to attack a problem such as this if we do not take some positive action? It is fine to play politics, to cry out for the needy, and nobody's heart bleeds any more than does mine for the folks who are unable to take care of themselves. Certainly it would be a sad commentary upon our society and this great Commonwealth if we were not able to provide for those unable to provide for themselves, and I believe that we should do so and are doing so, but some place along the line we have got to do something to stop the chiseler. It is an every day occurrence in the Senate of Pennsylvania to sit here and listen to long debates and cry out our cries for economy, economy in government, but when the economy measure strikes the home district, too often the speaker suddenly decides that it cannot be done, that we must look after the unfortunates.

Mr. President, just yesterday I heard a long debate here concerning the State providing free medical care in State hospitals in Schuylkill County, and one gentleman spoke at least three times, decrying such a practice, yet today he is going to vote against the measure that would have some affect in driving chiselers from the relief rolls. I have listened to economy reports, individually prepared by Senators, that would slash most every agency in the State except those in the home district of the Senator making the report. Well, it might be smart politics to do so, but it is not good morals, it is not honest government and it is not an honest, fair, presentation of the problem affecting the Commonwealth.

Mr. President, in conclusion I would suggest that if the sponsor of this measure could see fit to hold it over in order to permit an amendment to be prepared and presented tomorrow, providing that only those of the employable ages be posted, then I personally would feel that the bill was entirely in order. However, if he does not see fit to do so, I find myself in a position where I am going to vote for the bill, because I believe it is the most honest attempt to do something about economy on the basic level that we have heard here in a long time.

Mr. HALUSKA. Mr. President, I had no intention of speaking on this bill because the record shows that throughout this Session I have devoted quite some time to talking about the same subject, and everyone knows

my position. I think it is deplorable to pass such a measure to place in a public court house or any other public place the names of those unfortunate people.

Now, Mr. President, I am proud of my county of Cambria, and I said, and I say now, there are no chiselers in Cambria County, and I defy anyone to point them out. It may be true, as Senator Neff stated, that there are chiselers in his county and in other counties, but tell me, how will the posting of names eliminate these chiselers? A chiseler has no pride, he does not care whether his name is posted. If you are sincere in trying to stop the chiseling, go after the boards, some of the investigators, the people who give relief. That is the root of all evil. Come into Cambria County and talk to our board, see how they do it.

Mr. President, I agree with Senator McGinnis that it is tough to get on relief, and I say sincerely that in my county, Mr. President, they check everything you have ever had, your in-laws and out-laws, and it is quite difficult to get on the relief rolls in my county and I am proud of the way Cambria County doles out relief. Those who are in need, they get it, but they must definitely prove they are in need. Posting names is not the answer. Let us pass some bill dealing directly with the administration, either at Harrisburg or back in the counties where we find the fault, but by placing these names in public places you will rue the day. It is the lowest step we have taken in my eighteen years at Harrisburg.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—34

Bane,	Kephart,	Peelor,	Wagner,
Barr,	Kessler,	Probert,	Walker,
Berger,	Letzler,	Robinson,	Watkins,
Blass,	Mahany,	Ruth,	Watson,
Chapman,	Mallery,	Snowden,	Wolfe,
Dent,	McPherson, Jr.	Stevenson,	Wood,
Fleming,	Meade,	Taylor,	Yosko,
Freed,	Neff,	Wade,	Hare,
Holland,	Pechan,		Presiding Officer

#### NAYS—10

Barrett,	Lane,	McMenamin,	Silvert,
Byrne,	McCreesh,	Rosenfeld,	Stiefel,
Haluska,	McGinnis,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, on behalf of the Democratic Members who voted for this bill, I want it clearly understood that they intend to show by their vote that they are in favor of this particular type of a venture into public assistance. However, they intend to work among the House Members in order to have it amended along the lines that we think are more workable at this moment.

Mr. President, with the permission of the Senate, I would like to be relieved of my presence here for a period of about ten minutes. I understand that my vote

is needed to create a quorum on the Public School Authority over at the Governor's Office, and if I could return in about ten minutes, will you kindly not take the tax bills up until I get here?

Mr. WALKER. Mr. President, may I suggest to the gentleman from Westmoreland before he leaves the Chamber, there is a report from the Committee on Finance involving amendments to a Senate bill that we would like to have reported out, and I would not want the gentleman to feel that we reported a bill out in his absence.

Mr. DENT. Mr. President, I have no objection to taking bills up for amendment in order to clear the Calendar for printing and so forth. I only want to be here when they are read for the second time so that I can discuss them.

#### MINISTER OF INTERIOR IN RHINELAND-PALANTINATE PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair at this time wishes to call to the attention of the Members and the visitors of the Pennsylvania Senate, the presence of a very distinguished visitor, the Minister of the Interior, the Honorable Otto Schmidt of the Rhineland-Palantinate, Germany. He is here today with his escort-interpreter from the United States Department of State, Mr. Charles Lloyd, and the two are being escorted by Doctor Louise Lutherford, of the Department of Justice.

I would ask the distinguished gentleman to stand and take a bow in the Pennsylvania Senate today.

#### REPORT FROM COMMITTEE

Mr. WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOOD, from the Committee on Finance, reported as amended, House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

#### THIRD READING CALENDAR

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 1727, as follows:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further providing for certain minimum and maximum pensions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 4 of the act approved the twenty-eighth day of May one thousand nine

hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the nineteenth day of July one thousand nine hundred fifty-one (Act No. 241) is hereby further amended to read as follows

#### Section 4 \* \* \* \* \*

(b) The pension paid to any employee pensioned prior to the first day of June one thousand nine hundred fifty-one shall not be less than one hundred dollars nor exceed one hundred and [twenty-five dollars] thirty-seven dollars fifty cents per month and shall not be computed on rate of pay in excess of two hundred and fifty dollars per month The pension paid to any employee pensioned after the first day of June one thousand nine hundred fifty-one shall not be less than one hundred dollars or exceed one hundred seventy-five dollars per month and shall not be computed on rate of pay in excess of three hundred fifty dollars per month

Section 2 Said section four of said act as so amended is hereby further amended by adding after subsection (b) thereof a new subsection to read as follows

#### Section 4 \* \* \* \* \*

(b.1) Any employee who had been a member of the pension fund prior to the first day of June one thousand nine hundred fifty-one and who had retired or was pensioned prior thereto and whose average salary for the last five years of his or her employment by the city was two hundred dollars per month or more but less than two hundred fifty dollars per month shall have his or her pension computed on fifty-five per centum of his or her average salary during the aforesaid five year period of time Any employee who had been a member of the pension fund prior to the first day of June one thousand nine hundred fifty-one and who had retired or was pensioned prior thereto whose average salary during the last five years of his or her employment with the city was two hundred fifty dollars per month or more shall receive a pension of not more than one hundred thirty-seven dollars fifty cents per month

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Probert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahanay,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.	Stiefel,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, for the information of the gentlemen of the Senate, there are several bills on



the Second Reading Calendar that I desire to call up out of order in order to have amendments presented to them, and in that way the amendments and the bills can come back from the printer in the hope of having the bills before us for our midnight Session, and it is for that reason that I am calling them out of order.

I also might say, for the information of the gentlemen of the Senate, that it has been agreed to that the tax program will be discussed as a unit on Second Reading in order to forego debate at the midnight Session.

#### SENATE BILL No. 912 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order, Senate Bill No. 912 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 912, entitled:

An Act creating a Commission on Reorganization of the Executive Branch of the Commonwealth providing for the membership of such Commission prescribing its powers and duties and making an appropriation.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 2, page 2, line 14, by striking out the word "fifty-five" and inserting in lieu thereof "fifty-three."

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth, seventh, eighth and ninth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### SECOND READING CALENDAR

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 824, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 875, on second reading, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 898, entitled:

An Act to amend Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further defining eligibility for the office of school director

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 899, on second reading, entitled:

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Agreeably to order,

#### BILL ON SECOND READING AMENDED

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1234, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing pen-

alties" by further regulating the giving of treatments away from beauty culture shops and by students in beauty culture schools and permitting educational demonstrations on Sunday.

The first and second sections were read and agreed to. The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Section 3, Sec. 7, page 5, line 8, by striking out the brackets before the word "or" and after the word "treatment"; Amend Section 3, Sec. 8, page 5, line 9, by striking out the bracket before the word "It"; Amend Section 3, Sec. 8, page 5, line 13, by striking out the bracket after the word "appointment"; Amend Section 3, Sec. 8, page 5, line 13, by striking out the words "No person shall practice or attempt to"; Amend Section 3, Sec. 8, page 5, lines 14 to 18 inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The fourth section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILLS OVER IN ORDER

Mr. KESSLER. Mr. President, I ask unanimous consent that House Bill No. 1234, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishment an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to

determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### HOUSE BILL No. 1651 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order, House Bill No. 1651 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1651, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties

be recommitted to the Committee on Education.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### HOUSE BILL No. 1676 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order, House Bill No. 1676 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1676, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards



of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

#### HOUSE BILL No. 1690 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order, House Bill No. 1690 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1690, entitled:

An Act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

#### HOUSE BILL No. 1708 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order, House Bill No. 1708 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation on the board of directors of union and merged school districts.

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

#### SENATE BILL No. 713 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 713 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 713, on second reading, entitled:

An Act to further amend part of Section 202 of and to add Sections 462 and 1314 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on said commission

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 724 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 724 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 724, on second reading, entitled:

An Act to define license and regulate resident and non-resident auctioneers and apprentice auctioneers in certain political subdivisions and revising consolidating and making the law uniform relative thereto conferring certain powers and duties on the State Auctioneers' Commission and on certain Departments and Officers of the State and Local Governments providing for the keeping of records and the inspection thereof repealing certain inconsistent laws and providing penalties

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## REPORT FROM COMMITTEE

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Law and Order, reported as committed, Senate Bill No. 837, entitled:

An Act making it unlawful to print or otherwise produce wall charts, tip sheets, scratch sheets, bookmaking tickets or other items in furtherance of illegal gambling or to transport, sell or possess the same; and providing penalties.

## PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, yesterday afternoon there was a prolonged discussion in the Senate under the heading of what some people call mink coats and appendectomies. It dealt with the matter of free hospital services to people of the Commonwealth. I do not wish to continue that debate, but I wish to call attention to the inevitable reaction to what was said and to what took place.

Mr. President, attention was called numerous times to the fact that a lot of money was not collected from patients who were hospitalized in State-owned institutions and, of course, I see that different papers have treated the matter in different fashions. Many of the papers did not publicize the matter. Some of the papers made a factual news presentation of it in one or two paragraphs, somewhere between page one and thirty-seven, but one of our Philadelphia newspapers saw fit to come out with headlines one inch deep, covering a number of columns, the first columns of the front page, and they said, \$1,900,000 Cheat on State Hospitals Charged in the Senate."

Now, Mr. President, the thing that disturbs me is the fact that once that impression is created, it is not only going to be interpreted as a condition in State-owned hospitals; it is going to be assumed that that is a general condition which is found in all hospitals that get any aid from the Commonwealth of Pennsylvania.

In the course of the discussion, Mr. President, one of the Senators from Allegheny County, who has tried several times this Session to do a job of "Holland Tunnelizing" Schuylkill County, lamented the fact that it was necessary in the coal regions for people to receive hospitalization without paying their bills in full. He said in this day and in these times, with so many people belonging to unions which have health insurance, and so many people belonging to Blue Cross and other insurance agencies, people should all be able, in effect, he said to pay their hospital bills. So, one would think that in his county there is no free hospital service, and yet I turn to House Bill No. 1422, an appropriation bill which lists proposed appropriations to hospitals in Pennsylvania to help them pay for the services they give patients who cannot pay their own bill, and I recognize some of these hospitals as being in Allegheny County. One gets \$60,000 State-aid under the proposed bill; another gets \$6,400 and one gets \$67,000; one gets \$166,000; one gets \$40,000; one gets \$115,000; one gets \$194,000; \$42,000; \$31,600; \$74,000; and the items go on to

a total proposed appropriation to compensate hospitals in Allegheny County for free services rendered to the people of that county of \$2,565,400.

Now, Mr. President, as I understand it, the State reimburses hospitals to the extent of \$6.00 per day for so-called charity work. This charity work averages a cost of over \$9.00 a day for each patient hospitalized, so that if we propose to reimburse Allegheny County hospitals to the extent of \$2,565,400, that means, actually in round numbers, hospitals in Allegheny County, not State-owned, have given out in the past biennium \$4,000,000 worth of service for which the patients did not pay.

Now, Mr. President, let us drop for the time being the question of State-owned hospitals and how much of bills are paid and how much are not. Let us be well aware of the fact that if the newspapers of the metropolitan centers of Pennsylvania are going to permit the impression to get out among the taxpayers that hospitalization is a racket, then according to our appropriations, not only to the State-owned hospitals but to all hospitals in the Commonwealth, people are going to think that hospitals generally are rackets. Personally, I do not consider that to be the case. I do not believe it is the case in State-owned hospitals. I do not think it is the case in these splendid institutions around the Commonwealth which are State-aided, but let us mark carefully the fact that it is not only in Schuylkill County that people get ill, it is not only in Schuylkill County where people have operations, it is not only in Schuylkill County where people cannot always pay for the hospitalization they need; it is just as true, apparently, in the great county of Allegheny, which one of the gentlemen represents, and it is just as true throughout the Commonwealth.

## PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I would like to refer or suggest to the gentleman from Schuylkill that he check up on the amount of taxes that come out of Allegheny County to the State, and also check up on the amount of taxes that come out of Schuylkill County to the State. After he compares the two, he will find that the share we get is much much less than the share they contribute to the State.

Now, Mr. President, I do not object to him taking his hospitals in Schuylkill County and having them privately owned, like they are in other counties, and getting State-aid for the hospitals, but I do not think it is right to have him have a preference of having a medical and a surgical hospital which has long out-dated its usefulness. It was made, and he will agree with me I am positive, created, rather, by an Act of 1887, to take care of the men hurt in the mines and in the railroads, and those two in particular. They had no way of taking care of the men who were hurt.

Now, Mr. President, I would like to join with him because I, too, wonder why, with all the welfare funds and the Blue Cross, the hospitals of our State cannot make or at least break even, because I believe that the number of paying patients are greater than they have ever been. It has always been a problem to me why many of the doctors who are on the staffs of these hospitals are becoming



wealthy, while the hospitals are always back here crying. I often wonder if it has been poor management on the part of the hospital, and I will be glad to join with him in this resolution, which I understand that Senator Yosko is going to have ready by Monday, to place the hospitals in Allegheny County under the same group to be investigated and see why they always want to increase appropriations.

Mr. President, I would like to interrogate the gentleman from Schuylkill, Senator Wagner, at this time.

The PRESIDING OFFICER. Will the gentleman from Schuylkill, Mr. Wagner, permit himself to be interrogated?

Mr. Wagner. I will, Mr. President.

Mr. HOLLAND. Mr. President, will the gentleman from Schuylkill join with Senator Yosko and I in a resolution to make a thorough study—I will not say investigation—a thorough study of the ten hospitals which are now carried by State-aid; that is, not by State-aid but to the entire expense of the State? Also, we will investigate the hospitals in Allegheny County at the same time. Will he join with me in a resolution of that type?

Mr. WAGNER. Mr. President, the task of investigating all bills and all costs and all deficits in the hospitals in Pennsylvania would be a tremendous job. Now, we have just started legislation to establish a commission to determine the wisdom of all expenditures we are making, and determine valid ways in which we can cut them down and have more efficiency at all levels of State government. It would seem to me that instead of shooting wildly around, hoping to hit somebody with a hospital resolution, if this Wade legislation is what I understand it is, and what I hope it is and what I am going to vote for, that area will be covered very comprehensively by that particular agency in its long range study, with an appropriation to look after it.

Mr. HOLLAND. Mr. President, will the gentleman permit himself to be further interrogated?

The PRESIDING OFFICER. Will the gentleman from Schuylkill, Mr. Wagner, permit himself to be further interrogated?

Mr. WAGNER. I will, Mr. President.

Mr. HOLLAND. Mr. President, inasmuch as your region has a special problem of ten surgical and medical hospitals that are completely financed by the State, will you join with me in a resolution suggesting to the Wade committee that special attention be made to make a study of their usefulness at this time, due to the fact that the miners have a health insurance, the steel workers up there have a health insurance; in fact, all the members who belong to unions in that neighborhood have a health insurance? So, therefore, the original act has outlived its usefulness, which was supposed to give free hospitalization, due to the fact there was no way for the poor miner to have it paid for at that time, no workmen's compensation.

Mr. WAGNER. Mr. President, I will join with the gentleman in a resolution to investigate the free service given in all hospitals for which the State gives compensation, providing the commission starts with the counties in alphabetical order, because Allegheny County, as I said awhile ago, gave \$4,000,000 worth of hospital service in the last biennium which was not paid for, and I would like to pick up that first and then go on to whatever is left.

Now, Mr. President, I do not have any ten hospitals that are State-owned. I find there are three of those ten in

my Senatorial District. The hospitals that I read off today, and which gave \$4,000,000 worth of free service, are all in Allegheny County.

Mr. HOLLAND. Mr. President, there is quite a difference between the population of Allegheny and Schuylkill Counties. I am willing to go along with this in alphabetical order because they will have more experience when they get to Schuylkill, and do an even better job in Schuylkill than they can in Allegheny County, but, Mr. President, I think the gentleman should agree with me that there is no reason why Schuylkill County should be beneficiaries of hospitalization which does not exist in the sixty-seven other counties.

Mr. WAGNER. Mr. President, I would like to correct the gentleman. The ten State-owned hospitals which he refers to are scattered over the Commonwealth. We have three-tenths of them in Schuylkill County, and the instance which he talks about ought to prevail in Allegheny as well as Schuylkill, and the taxes which he talks about paying, relative amounts have nothing to do with the case. We are talking about people who can afford to pay their assessments.

Mr. HOLLAND. Mr. President, taking the population of Schuylkill by my figures here, and I will verify them later on, I find out with the number of free days given by the hospitals in Schuylkill County, that everybody who lives in the vicinity of that hospital must have received three free days, three free days in the hospital each biennium. I do not think if you would check the figures and the population of Allegheny County it would come anywhere near that, and, although I am not defending Allegheny County, if they have got too many free days, I am for helping you investigate Allegheny County as much as I am Schuylkill County, because I very personally believe that this is not a very good subject to talk about because people think you are against health measures, but, however, I do think that an investigation should be made. It should be made of the hospitals of the State of Pennsylvania to find out exactly how they are conducted, why they are always in the red because they always do end up in the red, and why is it that the members of their staffs today, and I do not begrudge them, they deserve it, are becoming the wealthiest class of the neighborhood in which they live because they are all specialists?

Mr. WAGNER. Mr. President, I hope to be through after this statement. I hold no particular brief for doctors. I do not have any in the "frien-schau-f," as they say in Lehigh County, but I think he is jumping to erroneous conclusions in two days.

First of all, Mr. President, there is no reason why a skilled surgeon should not live comfortably and be remunerated liberally even though patients whom he operates upon are not people of affluence. You might just as well say because all people on Public Assistance are people without incomes, therefore, all employees in the Public Assistance Department should work for nothing, and I do not think Mrs. Evans would like that or a lot of other people. In the second place, I do not think it is fair, and I say to the Senate as I tried to say to the newspapers, to create the impression in this great Commonwealth that there is something rotten in Denmark because hospitals operate with a deficit. I do not see how hospitals are ever going to do otherwise. It is a humanitarian

service, and inevitably we will have to treat at great expense people who do not have the wherewithal to pay for it.

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President and gentlemen of the Senate, this is one time that I will try to live up to the title of doctor. These problems which are being now raised as the result of the question of expenditures and the "Little Hoover Committee" were anticipated two years ago by one of the Members of the Senate, under whom I am very proud to serve and whose amanuensis I am being considered, the Chairman of the Committee on Appropriations, Doctor Chapman.

Mr. President, back in November of 1949, just before the internal fight in the Republican Party in connection with the approaching primary of the spring of 1950 Doctor Chapman, and The Honorable Norman Wood called upon the President of the University of Pennsylvania, Harold Stassen, and they brought to him this question: "Will the Institute of Local and State Government, which is part of the University of Pennsylvania, undertake a thorough study within the same scope as the "Little Hoover Committee," in order to ascertain not only the question of expenditures but fundamentals of this entire system?"

Mr. President, the day is not far off when we will have to delve also into the problem of the reorganization of the State government. True enough, the question of a constitutional assembly has been postponed, but eventually a constitutional convention will be held and at that time a thoroughly study will be in place about reorganizing the State government of Pennsylvania.

Mr. President, at that time the President of the University of Pennsylvania said to Doctor Chapman and to Mr. Wood that the machinery of the Local and State Government Institute is at the disposal of the State. I do not know why this method has been postponed, but now is the time. The moment is at hand when a thorough study has to be made, not only about the economies but about the reorganization of the entire State machinery. This is a problem which is closely interwoven, and you are now going on a witch hunt which will yield nothing. We have to study fundamentals and I hope that this "Little Hoover Committee," or this Commission which is going to be created, will avail themselves of the scientific services of a thorough study of the Institute of Local and State Government of the University of Pennsylvania.

#### BILL INTRODUCED AND REFERRED

Mr. MAHANY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY read in place and presented to the Chair Senate Bill No. 916, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and

school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by further regulating the over-all limit of tax revenues.

Which was committed to the Committee on Local Government.

#### HOUSE BILL No. 1544 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1544 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendment:

Amend Sec. 4, page 12, line 3, by inserting after the word "within" the following "this Commonwealth within."

It was agreed to.

The section was agreed to as amended.

The fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth and twenty-sixth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.



Mr. WALKER. Mr. President, I am about to call up for consideration on second reading the tax measures, and I wish to state for the information of the gentlemen of the Senate that by agreement on both sides of the aisle, it has been agreed that we will discuss the tax program in its entirety on second reading this afternoon, so as to curtail, as far as possible, any debate on the bills at our midnight session. This is done in the interest of saving time, and I want to express my very deep appreciation to the gentlemen of the Senate for their cooperation in doing the matter this way in order to save us the time at midnight.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, in approaching the solution of the fiscal picture of the Commonwealth we are now into the twelfth month of the 1951 Session, and we have come at long last to a determination of the very trying matter that has precipitated more debate on the floor of this Senate than has any other subject in my tenure as a Member of this body. We have experienced considerable personal feeling from time to time among the Members of the Senate, and it has created trying situations between the House and the Senate; it has been the subject matter of newspaper comment; periodicals have discussed it, schools, colleges and universities have debated it, and a great many people who are fiscal experts have given their opinions on these matters. Here in the Senate, we have listened with a great deal of interest to various members of the Senate who have sincerely tried to solve this problem.

I have lived pretty close to this problem in the last eleven months, simply because of the position which I occupy here in the Senate as the Majority Floor Leader.

In presenting this tax program, covered in House Bills Nos. 1692, 1693, 1694, 1695 and 1697, I want to say very sincerely, Mr. President, I do not think any gentleman in the Senate will wholeheartedly and enthusiastically say that this program is a very fine tax program, that it solves all of the fiscal problems of the Commonwealth and that this is a program to which we will point with pride. That is not the situation, Mr. President. This tax program is a compromise program, and it is offered in the hope that it will solve the problem, at least for the balance of this biennium. I do not think there is a Member of this Senate who would not agree with me that come 1953 a permanent solution must be made to the tax program, and this with a full appreciation of our responsibilities created by the tremendously increasing cost of government.

When I first became a Member of the Senate, the General Fund Budget was in the neighborhood of \$300,000,000. Back in March of 1951, when the Governor of the Commonwealth presented the budget to the Legislature and to the people of Pennsylvania, it called for an appropriation of \$853,000,000. Subsequent to the filing of the budget, the Governor recommended additional appropriations which increased the required amount to \$864,000,000 and, Mr. President, I might say here in passing that I am dealing only in round figures in order to expedite the discussion. The Members of the General Assembly, who frequently have appropriation problems of their own,

introduced quite a number of appropriation bills. The House Appropriations Committee and the Senate Appropriations Committee went through these appropriation bills and tried to determine what bills, if any, they would approve, and what bills would be reported out on the floor of the House and Senate for action. The sum total of these bills was approximately \$56,000,000, and so you can see that we find ourselves seeking out not the \$853,000,000 recommended by the Governor in his original March budget, not the \$864,000,000 which was the final administration recommendation, but \$920,000,000 which, in the minds of the people who had gone over it, will be necessary to raise in order to meet all of the requested appropriations.

Included in this \$920,000,000 is an item of approximately \$37,000,000 for our school program. It becomes necessary, in every Session of the Legislature, for increased appropriations, in order to meet this responsibility, and no matter how far into the future the General Assembly planned in their earnest and sincere endeavor to solve this problem, we always found that Pennsylvania, in comparison to other states, ranked well below the top when it came to recognizing and remunerating the teachers of the State for the grand services which they were performing.

Now, under the mandate of the 1949 Session, it was necessary for the Governor to place in his budget an item of \$20,000,000 to meet the increased salaries which the 1949 Session of the General Assembly had figuratively laid at his door step. On top of this, the Governor of the Commonwealth included a \$20,000,000 item which he felt was due the teachers as increased increments because of the extreme rapid rise in the cost of living. House Bills Nos. 333 and 334 were presented to the Legislature, and in these bills an additional \$37,000,000 was tagged onto the budget and tagged onto the appropriations, because they felt that this, too, was an item to which the teachers were entitled. These two bills passed the House and came to the Senate, and after very careful scrutiny by the Senate Education Committee, they were referred to the floor of the Senate for action, and those bills passed the Senate, Mr. President, with but one dissenting vote. As a result, we come up with the figure, as I earlier stated of \$920,000,000, which is facing the General Assembly as the amount to be raised if we are going to solve this problem.

I do not think anyone in this Senate, and I do not say this in order to get personal, has suffered more over this than I have. I have tried desperately to arrive at a solution to this problem. I know, Mr. President, that nobody is going to have exclusively his or her own way in the determination of this fiscal picture. I know, for instance, Mr. President, that I do not agree, and I know a number of Members of the General Assembly do not agree, with the estimates which were prepared by Doctor Logan, the Budget Secretary and the Director of the Budget. I know that a number of us feel that Doctor Logan's estimates and anticipated revenues are too low, and we felt that if Doctor Logan would only increase his estimates to a certain point, that the budget could be balanced without additional taxes. Now, Mr. President, Doctor Logan and Otto Messner, the Secretary of Revenue, are charged with the responsibility of recommending to the Governor what in their opinion is the best estimate on anticipated revenues. They alone are responsible, in the final analysis, for

the estimates which they give to the Chief Executive, and under the law the only estimates that the Chief Executive can take are the estimates furnished by these two Cabinet Officers who are answerable solely and directly to the Chief Executive. Now, Mr. President, the mere fact that I do not agree with their estimates does not prove conclusively that they are wrong. I am just as convinced that their estimates are low as they are convinced that my estimates are too high, and they refuse to increase their estimates above and beyond a certain point.

Mr. President, in the attempt by other people to sincerely solve this problem, we have the experience of the Pennsylvania Economy League, making an analysis and publishing a report. This report did not meet with the approval of the Budget Director, and, as a result, the Budget Director still said, "I will not accept the estimates furnished by the Economy League because I am solely responsible for this problem and I do not propose to accept estimates that in my opinion are wrong." The Governor, in a sincere attempt to solve this problem, appointed four of the major universities of the Commonwealth and asked them to give to him the benefit of their best recommendations. They made a sincere effort to comply with the Chief Executive's wishes, and under date of November 29, 1951, they presented a preliminary report, copies of which were delivered to the Members of the Senate, to the press, and to the 10,000,000 people of Pennsylvania.

In this report, Mr. President, they, too, did not agree with some of the conclusions arrived at by Doctor Logan. Now to give a brief analysis of the picture from the standpoint of those involved, all were perfectly willing to assume certain items as being tangible. They started out with the \$754,000,000, which Doctor Logan had originally estimated, and Doctor Logan added to that figure the \$19,000,000 which was created because of the surplus fund, making the total revenue available, according to the Budget Office, \$773,000,000. The Economy League, of course, starting out with the \$754,000,000 and the \$19,000,000 from surplus, stated that, in their opinion, Doctor Logan had underestimated the anticipated revenues by \$47,000,000 and, therefore, according to the League, there would be available for appropriation under the present setup, \$820,000,000. The four colleges I just referred to, starting out with the same \$754,000,000 and adding on the \$19,000,000 from the surplus of the 1949-1951 Session, concluded that Doctor Logan has underestimated his revenues by twenty-two and one-half million dollars, so that in their opinion there was seven hundred ninety-five and one-half million dollars available for appropriation.

Mr. President, the Senate of Pennsylvania has tried desperately in the last two weeks to sincerely and unselfishly solve this problem. Private opinions were aired and then determinations were made. We came to the conclusion, Mr. President, that there was nothing left for us to do under the circumstances but to absorb into our own conscience any estimates that we as individuals had made. I have no more right to suggest to Dr. Logan that he takes my estimates or that he take the college estimates or the estimates of the Economy League than he has to anticipate that I would wholeheartedly take his. Therefore, we came to the conclusion that the estimates furnished to the Chief Executive by the Revenue Department and approved by the Budget Department were

the estimates upon which we must predicate our determination if we are going to intelligently present to the Chief Executive a balanced budget that he can in good conscience and under his oath of office accept. Therefore, we accepted Dr. Logan's and Otto Messner's figures in starting out, to determine what our budget should be. Let me say again, at no time has anybody assumed, at least on this side of the aisle, that this is the ideal program that solves the problem. This, again, let me say, is a compromise presented with the hope that it will solve the problem for the balance of this biennium, and then under the Little Hoover Commission which will be set up in Senator Wade's bills, we will be able to solve the things which we are all sincerely trying to solve.

Mr. President, here on the Calendar today are a series of bills which are set up to produce, under the estimate of the Department of Revenue and the Budget Secretary, sufficient monies to balance the budget which can be given to the Chief Executive. On the other hand, it was decided by the Senate that we would review the requested appropriations and see if we could not cut out items which we felt could be dispensed with for the balance of this biennium, or items which we felt, perhaps, were slightly over-appropriated, in order to economize and tie together the two ends of this budget.

After days and nights of careful, sincere, serious work, we were able to cut from these requested appropriations approximately thirty millions of dollars. In these thirty millions of dollars we have taken out every cent which we felt we could deduct without seriously hampering the necessary functions of government.

There are items, for example, in House Bill No. 1421, which is the General Appropriation Bill, where individuals might feel that there are little items which could be cut, but when we approached these items, Mr. President, and when we discussed the matter with the people who were involved, we felt it would be dangerous to cut too close because of the safety factor involved. Therefore, gentlemen of the Senate, as you review the appropriations bills, and when you review the reductions which we have made in the requested appropriations, please keep in mind that while we appreciate the fact that in the individual mind there may be a desire to slash here or there in order to produce further economies, we have done what we, in our own opinion, feel is the best job we can do under the circumstances, and unhesitatingly we offer this program on that basis.

Mr. President, with reference to the tax bills themselves, I want to say to the gentleman of the Senate very sincerely that there are not any of these tax bills which do not hurt somebody somewhere. That is true of any tax that might be levied. For example, we have all had the experience when we would discuss a tax on the soft drink industry of having the soft drink industry show us where the taking of this pop from the mouths of little children was a terrible offense and should not be done. When we tried to tax the brewing industry, you will recall that the brewers were down here in force, showing us why and how it would be impossible for them to stand any additional taxes on their industry at this time, and when we talked about increasing the taxes on cigarettes, the tobacco people were down here to explain to us how they were carrying a very heavy tax load as



it was and this might be the straw that would break the camel's back. We have all been importuned by big business, by corporations, coaxing, begging, pleading with us, not to increase the taxes on corporations because of the tremendous tax burden they are now undergoing, and so, in this program, there is not a bill which is presented for passage by this Senate which will not hurt somebody somewhere. We do not offer it with the idea that this is a panacea to cure all the fiscal evils of the Commonwealth. In the opinion of the Majority, this is the best tax program which we can devise from the items sent to us by the House.

Mr. President, we all appreciate the fact that all revenue producing measures must originate in the House and we are limited to what they send us. There is no doubt in my mind that if the fifty Members of the Senate could be the sole architects of the fiscal program, they would mold it nearer to their heart's desire. Therefore, Mr. President, we realize that this probably does not measure up to the high ideals which might be set by individual Members of this Senate, but as you review this program, please approach it not in the sense of criticism. We ask you to approach it with this idea in mind, that for eleven months we have labored in the almost vain attempt to remold a fiscal picture that has been as difficult as any that has ever confronted us. Part of that we have contributed to, and part of that was contributed to by all the people of Pennsylvania. Remember, a portion of this budget was created because the people of Pennsylvania approved a Constitutional Amendment which gave to the veterans of the Second World War a \$500,000,000 bonus, which must be paid back by the taxpayers, and which is incorporated in the budget presented to us for solution. This has been a very difficult problem and I know that various Members of the Senate are not going to accept wholeheartedly the program that is being offered to them today, but again I say to the gentleman of the Senate, in all fairness to the problem involved, approach it not from the standpoint of criticism, but approach it with a sincere desire to cooperate with the people who are trying to solve this. It, in no sense of the word, can be classified as the best program which could be evolved, because you could resolve one which in your opinion would be a lot better. That we all know, and regardless of who the individual is, as I say, you would mold this thing so it would be a lot better if you were the sole determiner of the facts involved.

Mr. President, in light of the information that has been given to us, in the light of the bills that were furnished to the Senate by the House, in the light of the tremendous appropriations which confront us, we present this tax program to the gentlemen of the Senate and to the people of Pennsylvania. Whether or not we were right in our estimates, whether or not the Department of Revenue and the Budget Secretary were right in their estimates, or whether the Economy League or the college presidents were right, time alone will tell, and when this tax program is passed, when these appropriation bills which have been slashed to the amount of over thirty millions of dollars are presented to the Governor for final determination, I hope that all the Members of the Senate will fully appreciate that here our responsibility does not end. Here our responsibility begins, because we have the responsibility to start, the moment this Session adjourns sine die,

to sincerely and unselfishly attempt to solve a very trying governmental problem. As has been said so repeatedly, the cost of government at all government levels is going up and up and up. If we are going to prove to the world that a representative form of government such as we have in this Republic is the finest form of government which man can devise, we must make it work efficiently, effectively and economically. That will be our charge in the 1953 Session.

#### PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, I know that I will probably be charged with being too consistent and I know also that there is a well known saying to the effect that consistency is the hobgoblin of small minds. I will probably be charged with having a small mind, because I am going to be consistent.

Mr. President, the statement just made by the Majority Leader could easily have been made in June, for on June 20 I made a radio address in the Commonwealth of Pennsylvania on a State-wide hookup in which I took a certain position on taxes and on the budget. From the remarks just made by the gentleman from Allegheny, I find myself wondering whether the opposition to the income tax started out because it was felt, as I understood it, on the part of the eleven on the other side that no new taxes were needed, that the budget could be balanced by the changing of estimates and by the curtailing of some expenditures. This group of twenty Democrats opposed the income tax, and at that time, if you will remember, over and above the enactment of a one per cent increase in the C.N.I. tax, the repeal of the so-called soda pop tax, we felt then, and I am willing to take the position again today, that the picture has not changed enough to warrant the passage at this time of approximately one hundred twelve more millions of dollars of new taxation in the Commonwealth of Pennsylvania, or approximately the amount needed to balance the so-called budget as of June 21. Remember that you are passing \$112,000,000 of new taxes in spite of the fact that you are cutting the civilian defense \$16,000,000. The Governor only asked for \$119,000,000, as I understand it, back in June. The economies that are now being talked about and contained within this analysis that I received this afternoon are sufficient if added up, counting the civilian defense cut of sixteen odd millions of dollars, plus the additional revenues admitted by the Department of Revenue and Secretary Logan, and, with the additional passage at this time of perhaps three, a minimum of two and a maximum of three, of these acts before us to meet the added budget increases that this Legislature voted for.

Mr. President, I stated many many times upon the floor of the Senate and in the public press that if the Legislature added increases beyond the budget demands of the Governor, that it was our duty to pass the tax legislation to pay for those increases. Your Democratic Minority in the Senate assumes that responsibility and will vote for the taxes to meet those expenditures that we have voted for, but I will still stand upon the premise that the original budget was miscalculated. I still stand upon the premise that the original revenue estimates were

miscalculated. There are two organizations or two agencies that have returned figures to the Governor, one independent of the administration, the so-called Economy League Report, and I notice that the figures that they give for the estimates on the return per cent of corporate net income revenue is based upon the figures that I used in my estimates as of June 21 of this year. I also noted that the College Presidents' Committee named by the Governor, agreed upon the same figures that I used back in June of this year. If these organizations, with their wealth of expert advice, the unlimited availability of sources of information, came up with the same information that I gave back in June, then I want to get a little more than passing credit for having given to the people of Pennsylvania an honest analysis of the budget back in June.

Mr. President, taking the very figures that have been estimated by both of these agencies and the figures of estimates that I have given time after time on behalf of the Democratic Minority, I find the following picture to be still true in Pennsylvania:

I find that we have available for expenditure in the General Fund approximately \$826,000,000. There seems to be a bone of contention between the four estimating agencies, counting Doctor Logan as one, the Economy League as two, the College Presidents as three and the Democratic Minority as four. That appears to be the discrepancy or the difference, we will say, in the revenue to be derived from closing the loopholes in the C.N.I. Tax. The Governor's estimate, or rather Doctor Logan's estimate, is \$5,000,000. The Economy League, for a basis of addition, uses the figure \$15,000,000. However, in their breakdown analysis they use the figures of \$4,000,000 to \$40,000,000, which gives them quite a leeway. However, in making the proposition before the Senate I took the position that \$25,000,000 could be raised by closing the loopholes in the C.N.I. Tax.

Mr. President, for purposes of giving additional security to the budget figures, I am willing to stake what little reputation I can command on the budget to say that if we close the loopholes by the passage of House Bill No. 1303 and signed by the Governor, which I understand is now Act No. 345, I will estimate that \$20,000,000 will be collected before the end of this biennium from closing the loopholes in C.N.I., and I am going to say to the Members of the Senate right now that if proper administration were in force at this moment in the Department of Revenue, in the collection of C.N.I. you will receive twenty-five million more dollars at this moment which is being forgiven illegally and contrary to law. Let us set that \$25,000,000 aside, because I have no method by which I can force the records and an examination of the administration of that particular act, and, therefore, must accept only those returns certified to us by the department. However, I will not retreat one cent from my original estimate of \$50,000,000 per per cent of C.N.I., which gives us a total of \$250,000,000, concurred in by the two estimating agencies, and which I believe is only \$10,000,000 less than that estimated by Doctor Logan now, but which is \$30,000,000 more than estimated by Doctor Logan back on March 18. Although he has increased his estimates by \$20,000,000, remember that if he had not suggested that there was a discrepancy in the estimates and in the amount to be collected, that \$20,000,000 would have ended

up, the same as it has ended up in the past four bienniums, by becoming a surplus to be used and spent over and above necessary budget needs of the Commonwealth. By taking \$30,000,000 from the one figure, and \$15,000,000 additional from the other, and without taking into consideration the possible addition of from six to ten millions of dollars which can reasonably be expected from the liquor store profits and the increased liquor store tax, because of our principle in Pennsylvania of taxing upon Federal tax, it is a simple equation to show that the amount estimated in February or March can never be the amount that will be collected by June of 1953, in the face of a Federal tax upon which we, in turn, tax and put a markup, unless the State suddenly goes dry.

I take the position, Mr. President, of being very very liberal in my estimates this afternoon in the Administration's behalf, because I know we face a very practical problem. We, the Members of the Minority, have absolutely no control over the expenditures. We have no supervision over the budget, we have no method by which we can examine to see whether or not the estimates that we have made are collected or whether by manipulated administration we find ourselves behind the proverbial eight ball by being told two years from now that we did not know what we were talking about.

However, I still go back to the past four bienniums and can prove to the people of Pennsylvania by the figures contained in the budget, that my underestimation of figures in the last four bienniums prior to this were less than \$40,000,000 of an underestimation of collection, and Doctor Logan's underestimation was \$336,000,000. Those of you who stood upon the floor and argued for months and months and months, and kept this Session here until December, I understood argued from the viewpoint that no new moneys and no new taxes were needed to balance the budget as of June 21. If that were true and if you were, and I believe you were sincere in your opposition to increased taxes during these eleven months, then there is no necessity at this time for any new taxes except those taxes required because this Legislature has added certain numbers of millions of dollars to the budget over and above that which the Governor requested.

Upon that basis, Mr. President, the Democratic Minority feels that it is still upon sound ground and that its opposition to the income tax was based upon sound ground and upon sound logic. Yes, there were those who did not like the income tax on this side and on that side, but basically our opposition was because the amount of money to be raised by the income tax was far and above the amount needed to balance the budget, and we said then and we say now that we were on sound ground.

Now Mr. President, we are faced with the necessity, because not of the Governor's shortcomings but because of our own action, of raising between thirty-six and forty-three millions of dollars for the purpose of putting into effect the provisions of House Bill No. 333 and House Bill No. 334, known as the school subsidy and salary raiser bills. We are forced into the position of raising \$10,000,000 because of the Governor's added increases requested and allowed by the General Assembly. We are forced, in all decency, to add another seven to eleven millions of dollars for cost of living increases to the State Police and to other employees of the Commonwealth who



have not to date been taken care of because they do not work for special funds. Adding all of these things, we find that the most that this Legislature can be called upon to create in new revenues will be between sixty and sixty-three millions of dollars.

Mr. President, we take the position, the same as the gentleman from Allegheny takes, that we are not absolute. We, too, have prior to this erred, and will again err in our figures and in our judgments, and so, therefore, we are satisfied to give beyond that an additional ten per cent for an average to allow for any discrepancies that may occur between that which we estimate to come in and that which of a necessity is needed to continue the services of the Commonwealth. When we reduce or rather when the Republican Caucus reduces—and remember I want to say this not as a form of criticism but as a matter of fact, that we have not had the benefit of the so-called expert information that has been given to the Republican Caucus while we, the Democrats, sat idly by and waited for them to adjust their situation, and we have had to do this work with the facilities which we have at hand, namely the normal, common intelligence inherent in the twenty Members of the Democratic Caucus. We have had no experts, we have had no source of information other than the budget messages given us by the Governor and the daily newspapers which tried to keep up with the Caucuses, and, therefore, if we are in error it is an error of judgment and information, and not an error of the heart or intention.

Mr. President, we are trying to show to the people of Pennsylvania that our opposition to the income tax, which I estimated on behalf of the Democratic Caucus to raise \$150,000,000 and every expert worth his salt will tell you it will, was far and beyond the needs of the Commonwealth. Therefore, if we are in Session today and if we are to take our share of the blame for being in Session, it is because we honestly felt then and feel now that by the addition of thirty odd millions of dollars to the C.N.I., by the passage of Act No. 345, which, in my opinion, will give a minimum of \$20,000,000 if properly administered or if administered to seventy-five per cent of its efficiency, cutting the civilian defense \$16,000,000, gives us \$66,000,000 which can be applied to the budget as it was given to the Members of the Senate back on March 18.

Mr. President, these figures I am now quoting are not being used to determine the need as of the moment. They are being used to justify the position that we took that sufficient moneys were contained in the revenue bills to meet the budget as it was handed to us. We will stake our reputation upon that. We can feel that there has been an honest effort made. I have sometimes been criticized for the statements that I have made, but at no time have I ever made a statement that I did not believe in.

Mr. President, I said publicly in the month of September that if this Legislature passed House Bills No. 333 and 334, that they must of necessity pass the taxes to meet the provisions of these acts, and if they did not have an alternate program, the people of Pennsylvania would find themselves saddled with an income tax. Today you find the income tax is dead, but an alternate program is in effect. This program was discussed very thoroughly at a meeting held with the Governor, seven Members of

the Democratic Caucus, and Members of the Republican Party, at a meeting held at the Hotel Hershey. At that time we designed what in my mind was a program which could be passed within the next thirty days by the General Assembly. Today the Majority Leader called it a compromise. All during these eleven months I have maintained that a compromise must be necessary. There are those, however, who would rather call it by another name. There are those who want to call it a deal. Call it what you will, it is still a compromise. When there are differences of opinion, you must compromise them because otherwise a stalemate will result, and in a stalemate everybody loses. I am happy to see that the Republican Majority has finally come to the conclusion which I long ago came to, that unless we could get the Budget Director to change his figures, the Governor was helpless in his estimates and in fairness to the Governor, I think that that ought to be told by the Majority Leader.

Mr. President, I fought all through this battle against the figures of Budget Director Logan. Whether or not he wants to stake his reputation upon his figures remains to be seen as the end result becomes known in 1953, as of June, but the weakness of the system is this. We meet again, or those of you who are here meet again, in 1953, in January. Under normal conditions, with the rush-act being put on, you are out of Harrisburg by the middle of May. The biennium has not ended. You are given a set of figures, you do not know until two years later what the total revenue of that biennium which you have just been in really amounts to, and yet if you will take fifteen minutes and go back through the biennial reports of this Commonwealth, you will find that at no time have the figures that have been given us by the Budget Director come within shooting distance of the actual revenues raised.

Now, Mr. President, we find ourselves in a peculiar position and the Majority Leader said it is because these funds are needed because of the mandated increases of approximately \$20,000,000 to the schools, the mandated expenditures of approximately \$60,000,000 to the veterans bonus and the mandated increases of approximately \$12,000,000 to State-aided institutions. Now, that is old history. That was known to the gentlemen in March. It was known in May, June and July.

Mr. President, I said then, and I say now, that with the increased income of this Commonwealth and with the non-recurring items in the budget, there was no excuse at that time to ask for more revenue by means of new taxation. The \$60,000,000 for the soldiers bonus was wiped out by a non-recurring \$60,000,000 budget loss in the Department of Public Assistance, so the \$60,000,000 needed for the bonus is leveled off with the \$60,000,000 spent by Governor Duff for Assistance, not to be spent during this biennium. The \$20,000,000 of mandated increases and the \$20,000,000 additional increases asked for schools by the Governor—and you know that a great many persons here do not know that there is a direct relationship between the Governor's message and \$40,000,000, and the passage of House Bills No. 333 and 334. That \$40,000,000 was easily picked up by the difference between the income from the five per cent corporate net income tax as against your four per cent income tax. Even deducting the \$27,000,000 that we lost because of the re-

peal of the soda pop tax, an additional \$8,000,000 can be found very easily in the fact that during this biennium no recognition has been made of the approximately \$8,000,000 that will be forthcoming to the Commonwealth of Pennsylvania because of a change in Federal law, which allows Pennsylvania to receive from the Federal Government some \$8,000,000 in blind and categorical relief commitments from the Federal Government, never heretofore available to us. Taking all of these things into the picture, there was no need then and there is no need now, especially in view of the reduction in civilian defense and the reduction in the total budget figure given us by Senator Walker in which he says it is approximately \$31,000,000.

Now, Mr. President, lest it be misunderstood, we are giving sufficient money by our vote on this side, to the best of our knowledge, to do the following things:

To balance the original budget needs of the Commonwealth, to accept the Governor's appropriation bills in toto, less \$16,000,000 of escrow money for civilian defense, and to cut no other department from any of its required needs as contained in the Governor's message.

Mr. President, I have here on page 4 an estimated cut of one million and a half dollars from Pennsylvania State College. Now, Mr. President, the Members of this Senate passed House Bills No. 333 and 334 for one sole purpose, in my opinion. We passed it because of the educational needs of the Commonwealth. Let us analyze the picture beside the political needs. Let us analyze the picture at Penn State, where with one straight cut with a pencil they have taken away one and a half million dollars.

Mr. President, Penn State received \$11,000,000 the last biennium, but under an agreement Penn State had with the Veterans Administration, the veterans attending Penn State paid the out-of-State tuition which was approximately \$235. This year, this biennium, Penn State stands to lose \$2,300,000 because the veterans are no longer there, and their places have been taken by those citizens of Pennsylvania who are attending school at the regular Penn State tuition. If we allow, and every person knows we must allow, an additional appropriation for purposes of increasing the salaries of the faculty at Penn State, even with a fifteen per cent increase added to the total of seventeen per cent that has been received since the beginning of the war at Penn State by the faculty members, it will still come to a figure of \$17,000,000. There was a cushion given them of \$500,000 above that to take care of the anticipated increases in costs and materials and supplies. In all of the other universities, we are allowing for the increased salaries of faculty members, and yet at Penn State, the people's college of this Commonwealth, we are deliberately cutting from their budget an amount that, in my opinion, is needed to keep that school at the high standards we have built it to. There is no necessity for that cut, there is absolutely no necessity for that cut because, Mr. President, if we take the absolute figures of collectable items under the revenue program of this Commonwealth, and we take the absolute figures of the Governor's original budget message, we find that at the most there could be a discrepancy of \$11,500,000 in the Governor's favor. I am giving that figure without taking one per cent of increase in all of the other tax items, and that is not sound. There ought to be an increase allowed, because look at this.

Mr. President, this is this morning's paper, this is in Philadelphia. The tax yield in Philadelphia shows a \$10,242,000 rise over last year for general fund purposes, a \$4,109,000 rise for school purposes and in each of the increases the percentage seems to run about the same. Is there any reason to doubt that we in Pennsylvania, in the rest of the State, will not have the same experience in the collection of our other taxes as what they are having in the city of Philadelphia? For an absolute minimum of income, and an absolute minimum of expenditure, we find that at the most there would be a discrepancy of approximately \$11,500,000.

Now, Mr. President, let us take the amounts that the Legislature has added. The Legislature has added, say, \$36,000,000, according to the figures that I received from that very capable Member of the Senate, Senator Henry Probert. He believes that House Bills No. 333 and 334 will cost us an additional \$36,000,000, and after discussing the matter and reviewing it I think he is very very close to being right. Add to that the ten million odd dollars that we have granted the Governor by request, and we have a total of \$46,000,000, plus \$11,500,000 of a discrepancy between the income and outgoing, as I figure the problem, and we have a total of \$57,500,000 of new revenues needed to meet the appropriations and the needs of the moment. However, if you add to that the approximate ten per cent increase in the salaries not already raised in the Commonwealth of approximately \$7,000,000, you will find \$64,500,000 of an absolute outside figure of new revenues that are required. We do not agree that advancing C.N.I. is a proper tax procedure, but in the face of the conditions we are working under, I believe that it would be the most feasible method to use to get the required revenue. One of the reasons very simply, Mr. President, is this. The opposition to the particular type of legislation, is very vocal, it is very strong, it has a great deal of influence in the Commonwealth and the chances of repeal in that particular field of taxation are much greater than the chances of repeal when isolated industries or businesses are picked upon to be taxed.

Mr. President, I have great hope for the so-called "Little Hoover Commission," although I am going to make this criticism when that bill comes up and I want it to be understood that it is not opposition to the study, but it is opposition to the method of study. If that Commission does the work, and reviews the record of this Session of the Legislature and studies the remarks made by the Majority and the Minority spokesmen, they will find that they have a green field in which to work. So, Mr. President, the Democratic Minority feels that it will vote at this time for the accelerated C.N.I. collection, which we estimate to bring in, on the basis of our figures, \$63,000,000, the acceleration of Act No. 345, which closes the loopholes in C.N.I. and which are companion acts in my opinion, which will bring in approximately \$5,000,000, and the passage of the inheritance tax increase, which, according to the figures given us, will bring in approximately \$8,000,000. We find ourselves with a figure roughly of \$63,000,000, plus \$5,000,000 and \$8,000,000 or \$76,000,000. Needing \$57,000,000, plus \$7,000,000 or \$64,000,000, and \$5,000,000, it gives the Governor sufficient leeway to meet any emergencies that may come up because of a dropping off of revenue collections in any one of the many tax bills in this Commonwealth.



We take the position, Mr. President, that many months have gone by. We take the position that a great many of these months have been wasted. If the same attitude taken today would have been taken in June, this Session could have been over with in July. We have not changed our position. Our opposition to the income tax was two-fold. First, because at the time we felt that it was an inequitable tax and, second, because the revenue raised would not be needed.

Mr. President, I do believe that this program that we have advanced will cover the needs of the Commonwealth. No service need suffer, and economies that can be put into effect will create for us at the end of the biennium a surplus that can easily be between twenty and thirty millions of dollars. I want those figures recorded, because some of us may be back here to read them.

#### HOUSE BILL No. 1692 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1692 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. YOSKO. Mr. President, I desire to make a few remarks, not necessarily about the tax bills, and not necessarily about the figures, but a little something about the confusion that has existed here in the Legislature and the reason for it.

I say, Mr. President, that this confusion and the differences of opinion that have been expressed by the Majority Leader and Minority Leader, the Economy League, the College Presidents and the Budget Bureau, are all the results of lack of courage on the part of this Legislature. I say that if we would have done early in the Session that which we should have done, perhaps now in the month of December we would have had some idea of the true financial condition of the Commonwealth, but because we failed in our duty, I do not believe any of

us, as of right now, knows just how much money is needed to finance the obligations of the Commonwealth for the next two years.

Mr. President, the fact that there was a lack of a system to prepare budgets in the Commonwealth was recognized in the 1949 Session, because at that Session there was a resolution adopted calling for a survey of the accounting systems in the Commonwealth, and as a result of that resolution, the Joint State Government Commission began to make a survey. The Joint State Government Commission called upon one of the most competent groups we have in any State when it comes to accounting and when it comes to systems in government, and that was the Institute of Certified Public Accountants of Pennsylvania. It worked here in Harrisburg for months. It made surveys of all of the departments, boards and commissions in the Commonwealth and it did the work sincerely and conscientiously. It prepared reports of its findings, it prepared reports of its recommendations, and if any Member of the Senate will go up into the Joint State Government Commission, there you will find a stock of reports prepared by that group about that high (indicating) and as a result of that survey the Joint State Government Commission made a recommendation and that recommendation was the establishment of a uniform system of accounting to be administered by an accountant general. Bills were drafted to comply with the recommendations, and what happened to the bills? There was a sub-committee appointed and it studied the problem, even visited the State of New Jersey to make a survey. The bills were finally reported out, and they appeared on the Calendar on Third Reading, but for some unknown reason they were recommitted to the Committee on State Government.

Mr. President, I was interested in those bills and I made some inquiries as to why they were recommitted to the Committee on State Government, and I was told that because Senator Diehm and Senator Propert were the sponsors of the bill or the series of bills, and they happened to oppose the income tax, the Governor said he would not approve the bills even though they were passed by the Legislature. Well, I am not going to get into any fight with the Governor, and Senator Diehm and Senator Propert, but I still say that it is the duty and the obligation of this Senate and of this Legislature to re-report those bills from committee and pass them here in the Senate, and pass them in the House, because if we do not, we are coming back here one year from now and we are going to experience the same confusion that now is before us.

Mr. President, I want to read just a little bit from one of the reports as compiled by the Institute of Certified Public Accountants, and this is the report on the Department of Revenue. This is the survey made on the Department of Revenue, and here are some overall criticisms that are made by the accountants that made the survey in this Department. They say:

"(1) It was pointed out previously that the Department acts as the bookkeeper for all revenues of the Commonwealth but is not actually responsible for the collection of all the receipts. The executive division of the Department collects corporation taxes, sells cigarette and stock transfer stamps, enforces the Escheat Laws of the Commonwealth and performs a multitude of other unrelated

duties as well as supervises all the other Bureaus of the Department.

"This hodgepodge seems to be the result of the accumulation of duties over the years due to added types of revenues and expanded services of the Commonwealth without the reorganizations and system changes needed to keep pace with these developments. From the viewpoint of accounting system and audit, this condition is not desirable.

"(2) The financial statements of the Commonwealth seem to be entirely on a cash basis. Likewise, revenue estimates appear to be largely based upon cash receipts. The revenues receivable by the Commonwealth at all times are material in amount; yet they are not taken into consideration in the system and the existing financial statements make no provision for showing them. Similarly, liabilities in material amounts, as claims for the refund of taxes, are not accounted for until the actual refund is effected.

"(3) No effort is made by the Department to keep records showing equipment and inventories on hand and no physical inventories are ever taken. Such records might be kept by the Department of Property and Supplies, but they do not appear on the financial statements of the Commonwealth.

"(4) The general design of the accounting system does not stress the importance of separating the duties among the personnel so as to create the maximum degree of internal check. There exists not only numerous possibilities for ordinary error but also the possibilities of planned irregularities without adequate safeguards nor sufficient means of prompt detection.

"(5) We could find no evidence of manuals governing the accounting systems and procedure, without which it is difficult to see how there can be a satisfactory system of internal check

"(6) There was no evidence that the systems are under constant revision to meet changing conditions in accounting methods and technical advances in mechanical equipment.

"(7) There is no division of budgeting in the Department although the Comptrollers Office and staff tries to fill this gap. However, the type of statistical data assembled is insufficient for the purpose intended.

"(8) All bookkeeping for disbursements is by hand. Greater accuracy, speed and more information could be acquired by keeping the accounts on the punched card equipment.

"(9) The Department has no auditing division but relies almost entirely on the Auditor General for all such functions. From what we observed and were advised, the nature of the audit by the Department of the Auditor General has, to date, been of questionable value."

Mr. President, that is only a part of what was said about the Department of Revenue. I heard it said here this afternoon that the Secretary of Revenue and the Budget Director are the administrators that furnished the estimates to the Governor, and that the Governor must take those estimates. I can see, and I am sure you can see, why they are at variance, and I am sure you can see and I can see just why the Economy League, the College President, the Majority Leader and the Minority Leader differ with the estimates and the figures

submitted by the Budget Bureau and the Department of Revenue. They have not the facilities over there, they have not the system over there, they have not the facilities in the Budget Bureau and they have not the system in the Budget Bureau to compile data that is essential to prepare a budget upon which this Legislature could properly act. I want to say at this time that I compliment the Institute of Certified Public Accountants for the fine job that was done, and I say that because, for the months they spent here, they did not charge one nickel to the Commonwealth, as I understand. They did the job gratis in the interest of efficiency here in the Commonwealth, and what do we do? We give them a slap in the face by turning down their recommendations for no good reason at all.

Mr. President, if you will take this report which cost a lot of money, a lot of time and a lot of effort, it is the Commonwealth Accounting Report of the Joint State Government Commission to the General Assembly of the Commonwealth of Pennsylvania, if you will read that report, and there are only a few pages to read—I do not want to take your time to read the detail that is in here, but it stated time and time again here that under the system that we have here in Pennsylvania, it is absolutely impossible to determine the true financial condition of the Commonwealth at any given time. So, with that in view, I say we ought to follow the recommendations of the Joint State Government Commission, get those bills out of committee and pass them, because if you do not, I repeat, the same confusion that now exists is going to continue, and when we come back here a year from now we will be here for another year because of the system that has not changed.

Mr. President, I heard something here this afternoon about Senators Wade's bill to create a Hoover Commission and, frankly, Members of the Senate, I do not think it is a step in the right direction. The step in the right direction as of this moment is to set up an accountant General and a uniform accounting system. If you really want to make a survey, a real survey of the system in force here in Pennsylvania, the thing to do is not set up this Hoover Commission but the thing to do is to employ Griffen-Hagen Incorporated. It is a firm from Chicago that specializes solely in making these surveys and recommending reorganization of State Governments. It will cost you less to hire them to do the job—and you will be sure the job is done—than it will by appropriating \$100,000 to this Little Hoover Commission, which will come into the Commonwealth with this complex procedure here, come in cold, and it will take them six months to get their feet on the ground. Griffen-Hagen, Incorporated, has already reorganized to the best of my knowledge, twenty-three States of the United States, and it might be well before we go through with this to consult with them to find out just what services they could render here and for how much.

Mr. President, Senator Wade this afternoon amended his bill to set up this Hoover Commission, and he struck out "1955," and inserted "1953." Frankly, he was right in the first place, because no "Little Hoover Commission," coming in here cold, is going to start here in February or March and finish the job by the time the Legislature reconvenes in 1953. That is an impossibility. I tell you that



now. It is an impossibility, and I will tell you what will happen when we reconvene next year. They will come before us and say the job is not done, but the money is spent and they will ask for an extension for two additional years, and another \$100,000, and what have you got when it is all over? What have you got? Right now you have something. There was a study made. The report of that study is that high (indicating). It is up in the Joint State Government Commission. It was a good study, it was a thorough study, it was a recommendation that I am sure everybody in this Senate agrees with, but yet it is thrown in the waste basket. We are never going to solve our problems if we just dillydally around here. We have real issues to meet. Let us meet them, and the way to meet them is to grab the bull by the horns and do that which we ought to do and solve those problems that are presently confronting us.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 1693 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1693 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions further providing for the disposition of moneys received hereunder and changing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 1694 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1694 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight

hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendments:

Amend Sec. 1 (Sec. 24), page 3 line 14, by striking out "two per centum" and inserting in lieu thereof: "[eight mills on the dollar] two per centum"; Amend Sec. 1 (Sec. 24), page 3, line 16, by striking out the word "with" and inserting in lieu thereof: "within"; Amend Sec. 1 (Sec. 24), page 4, lines 10 to 15, by underscoring the word "and" in line 10, all of lines 11 to 14 and the words "or obligations" in line 15; Amend Sec. 1, page 4, line 17, by inserting after the word "upon" the following "annuity consideration and."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL NO. 1695 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1695 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for the State purposes by imposing a property tax for a limited period of time on the net income derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnership excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnership State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the date of certain payments of the act for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL NO. 1697 CALLED UP

Mr. WALKER. Mr. President, I call up from the

Second Reading Calendar House Bill No. 1697 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1697, entitled:

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendment:

Amend Sec. 1 (Sec. 2), page 3, lines 18 and 19, by striking out the word "descendent" in line 18, and all of line 19 and inserting in lieu thereof "descendent to such child, his wife or widow and passing from an illegitimate child".

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

### BILL ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 837, entitled:

An Act making it unlawful to print or otherwise produce wall charts, tip sheets, scratch sheets, bookmaking tickets or other items in furtherance of illegal gambling or to transport, sell or possess the same; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Friday, December 7, 1951, at 12:01 o'clock, a. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion

The motion was agreed to

The Senate adjourned at 5:31 o'clock, p. m., Eastern Standard Time, until Friday, December 7, 1951, at 12:01 o'clock, a. m., Eastern Standard Time.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., FRIDAY, DECEMBER 7, 1951.

No. 98.

## SENATE

FRIDAY, December 7, 1951.

The Senate met at 12:01 o'clock, a. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:  
The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray. Almighty God, Who dost neither slumber nor sleep, grant to these Senators and to all who labor here tonight the light of Thy presence and the sense of Thy nearness.

We pray for all who labor through the long night hours, for the policeman on his beat, and the fireman on the alert; for telephone operators, newspapermen and women, workmen in power plants, cleaning women in office buildings, and all others, unknown to us, through whose fidelity our lives are made safe and comfortable.

We pray especially for those in our Armed Forces who battle through the night and serve in lonely outposts. Grant that we may be as faithful in our duty as they are in their's; that our service may advance the Nation's good, as their's protects its liberties.

So bind us together this night in the brotherhood of service, in the name of Him who came not to be ministered unto but to minister and gave His life. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. RUTH, further reading was dispensed with, and the Journal was approved.

### REPORT FROM COMMITTEE

Mr. STEVENSON, from the Committee of Local Government, reported as committed, Senate Bill No. 916, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class

and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by further regulating the over-all limit of tax revenues.

### BILL INTRODUCED AND REFERRED

Messrs. STEVENSON, TAYLOR, SNOWDEN, WOLFE, MALLERY and WADE, read in their place and presented to the Chair Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate, projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right to eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing flood control projects and increasing the borrowing capacity of the Authority.

Which was committed to the Committee on State Government.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the

titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weight and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 431, on third reading, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 824, on third reading, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said

funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof

be placed on the Third Reading Postponed Calendar.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 898, as follows:

An Act to amend Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further defining eligibility for the office of school director

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 322 Eligibility Incompatible Offices Any citizen of this Commonwealth having a good moral character being twenty-one (21) years of age or upwards and having been a resident of the district for at least one (1) year prior to the date of his election or appointment shall be eligible to the office of school director therein Provided That any person holding any office or position of profit under the government of any city of the first class or the office of mayor chief burgess county commissioner district attorney city borough or township treasurer member of council in any municipality township commissioner road supervisor tax collector assessor assistant assessor any comptroller auditor constable county superintendent or assistant county superintendent supervisor principal teacher or employe of any school district shall not be eligible as a school director in this Commonwealth This section shall not prevent any district superintendent assistant district superintendent supervisor teacher or employe of any school district from being a school director in a district other than the one in which he is so employed and other than in a district with which the district in which he is employed operates a joint school or department A school director shall not be eligible to the office of member of council in any municipality

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,



Dent, DiSilvestro, Fleming, Freud.	Mallery, McCreesh, McGrinis, McMenamin,	Ruth, Silvert, Snowden, Stevenson,	Wolfe, Wood, Yosko, Hare, Presiding Officer
---	--	---	---

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 912, as follows:

An Act creating a Commission on Reorganization of the Executive Branch of the Commonwealth providing for the membership of such Commission prescribing its powers and duties and making an appropriation  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created as a temporary independent administrative commission the Commission on Reorganization of the Executive Branch of the Commonwealth the duty of which shall be to study the executive branch of the government of the Commonwealth for the purpose of (1) eliminating unnecessary and duplicate State services (2) studying tax trends and (3) studying the reasons for expanding state government functions and activities or contracting the same with a view toward recommending more efficient and economical methods of providing State services.

Section 2 The Commission shall consist of nine persons at least two of whom shall be members of the Senate at least two of whom shall be members of the House of Representatives and the other members to be citizens of the Commonwealth not holding public office all to be appointed by the Governor The members so appointed shall serve from the time of their appointment until the first day of July one thousand nine hundred fifty-three at which time the Commission shall be dissolved Vacancies created by the death or resignation of any member of the Commission shall be filled by the Governor

The members of the Commission shall receive no compensation but shall be reimbursed for all traveling and other expenses necessarily incurred while engaged in the performance of the duties of the Commission

Section 3 The Commission shall study all the functions of the Executive Branch of the State government ascertain as far as practicable all duplications of service and effort determine the most economical method of furnishing the present State services and recommend the abandonment modification or consolidation of any existing department bureau agency board commission or office and the creation of such new departments bureaus agencies boards commissions or offices as may be required for the most efficient and economical operation of the Executive Branch

Section 4 The Commission shall have authority to examine the books records and files of any department bureau agency board commission or office of the Executive Branch as to matters reasonably pertaining to the subject matter of any study or investigation conducted under the provisions of this act and it shall be the duty of the officers and employees of departments bureaus agencies boards commissions or offices of the Commonwealth to afford the members of the said Commission or its authorized representatives or employees access to all such books records and files and furnish to the Commission or its authorized representatives or employees such information as they possess relating to any matter under investigation by the Commission pursuant to this act The Commission may hold public or private hearings at such places as it may deem advisable and shall have the power to issue subpoenas in the usual manner to summon witnesses or compel the production of books records or files

Section 5 The Commission shall be organized at the call of the Governor and shall meet within ninety days after the adjournment sine die of the one thousand nine hundred fifty-one session of the General Assembly and shall at that time elect a chairman and a vice-chairman from among its membership. The Commission shall adopt its own rules of procedure The Commission shall appoint an executive secretary who need not be a member thereof and may employ or use the services of specialists in public administration and government management legal counsel and such other trained consultants analysts investigators and other employees as it may deem necessary on either a full or part-time basis and fix their compensation on a fee or salary basis

Section 6 In connection with specific projects undertaken by the Commission in its general study of the functions of the Executive Branch of the State government the Commission shall have the power to authorize such projects or parts thereof to be undertaken by the appropriate department or division of any State-aided university or college or by any recognized responsible association or organization having among its purposes the study of the administration of State government All such work shall be done under the direction and supervision of the Commission through its executive secretary and all reports or recommendations made by any such group shall not be disseminated or published without the prior authorization of the Commission

Section 7 The Commission shall complete its duties and make a final report to the Governor not later than the first day of February one thousand nine hundred fifty-three and on or before the first day of February one thousand nine hundred fifty-three shall render its report to the members of the General Assembly at which time copies of such report and recommendations shall be made available for public distribution The recommendations may include and distinguish among (a) proposals that may voluntarily be put into effect by executive action and (b) those which involve the repeal or amendment of existing statutes or the enactment of new legislation The Commission may also render such interim reports or recommendations for executive action as may be feasible in order to expedite consideration of measures to put such recommendations into effect The Commission shall include with its recommendations drafts of proposed legislation to carry out those recommendations which require legislative action

Section 8 Except as herein otherwise provided the Commission shall have the powers and be subject to the duties conferred and imposed upon independent administrative commissions by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) as amended known as "The Administrative Code of 1929"

Section 9 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby appropriated to the Commission on Reorganization of the Executive Branch of the Commonwealth created by this act for the payment of the expenses of the members of the Commission payment of the compensation and expenses of the executive secretary specialists legal counsel consultants analysts investigators and other employees of the Commission for the purchase of supplies materials and equipment for printing postage telephone telegraph rent and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—46

Bane,	Haluska,	McPherson, Jr.,	Silvert,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Snowden,	Wolfe,
DiSilvestro,	McCreesh,	Stevenson,	Wood,
Fleming,	McGinnis,	Stiefel,	Hare,
Freed	McMenamin,		Presiding Officer

## NAYS—2

Robinson,      Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1544, as follows:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Fuel Use Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" shall mean and include a partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" shall mean and include a corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Dealer-user" shall mean and include any person who delivers or places fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or who uses fuels within the meaning of the word "use" as defined in this section

"Department" shall mean and include the Department of Revenue of this Commonwealth

"Fuels" shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel vehicles of any kind or character on the public highways except such fuels as are defined as liquid fuels by the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) known as "The Liquid Fuels Tax Act" and its amendments

"Magistrate" shall mean and include a magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Motor Vehicles" shall mean and include all vehicles engines machines or mechanical contrivances which are propelled by internal combustion engines or motors

"Person" shall mean and include every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Public Highways" shall mean and include every way or place of whatever nature open to the public as a matter of right including a toll highway for the purpose of vehicular travel excepting those that are closed or that portion of any stretch which is closed to such travel by order of the State Highway Department for the purpose of construction or reconstruction

"Secretary" shall mean and include the Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Use" shall mean and include (a) the importation into this Commonwealth of fuels in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in excess of fifty (50) gallons and (b) the delivery or placing of fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in this Commonwealth for use in whole or part for the generation of power to propel such motor vehicle on the public highways of this Commonwealth the delivery of fuels into such supply tanks or other fueling receptacles or devices shall constitute a conclusive presumption that the fuel so delivered is to be used in propelling such motor vehicles on the public highways of this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Application for License Licensing of Dealer-Users Bond or Deposit of Collateral Securities (a) On and after the effective date of this act it shall be unlawful for any dealer-user to engage in or thereafter begin to engage in the use or sale and delivery of fuels within this Commonwealth unless a license shall have been issued to him as hereinafter prescribed

Penalty Each day in which any dealer-user shall engage in the use of fuels within this Commonwealth without a license as required by this act shall constitute a separate offense and he shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(b) Every person desiring to operate as a dealer-user shall file an application for a license with the department The application for license shall be made upon a form prescribed prepared and furnished by the department upon request and shall set forth the name under which the applicant transacts or intends to transact business the location of his principal place of business in this Commonwealth and such other information as the department may require If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for the purpose of identification The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the name of an association by a member or partner thereof and in the case of a corporation by the executive officers thereof or person specifically authorized by the corporation to sign the application to which shall be attached written evidence of their authority

(c) Upon approval of the application and the bond hereinafter required the department shall grant and issue to each dealer-user a license or licenses which shall at all times be posted conspicuously at all places where fuels are stored for use or for sale and delivery licenses shall not be assignable or transferable and shall be valid only for the dealer-user in whose name issued licenses shall be displayed for identification purposes by dealer-users



to any officer of the Pennsylvania State Police upon request Licenses shall continue permanently in effect unless surrendered or suspended or revoked for cause by the secretary

**Penalty** Any person assigning or attempting to assign or transfer a license or who shall fail to display his license as required herein shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) for each offense and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(d) A license shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be filed by the department except that the amount shall never be less than five hundred dollars (\$500) Every such bond shall have as surety a duly authorized surety company approved by the Insurance Department of this Commonwealth and signed by a resident Pennsylvania agent of the surety conditioned that the dealer-user shall faithfully comply with the provisions of this act during the effective period of his license The department may require any dealer-user to furnish such additional surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him

For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by a written notice require any dealer-user to furnish a financial statement in such form as it may prescribe Upon failure of any dealer-user to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the license or licenses issued to him and shall collect all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him

Any surety on a bond furnished by a dealer-user as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from date upon which the surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period The department shall promptly after receiving such request notify the dealer-user who furnished the bond and unless the dealer-user shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by the Insurance Department of this Commonwealth the department shall forthwith cancel the dealer-user's license or licenses Whenever a new bond shall be furnished by the dealer-user as aforesaid the department shall cancel and surrender the original bond of the dealer-user as soon as it shall be satisfied that all liability under the original bond has been fully discharged

(e) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer negotiable or assigned bonds which are direct obligations of the United States Government or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person as collateral guarantee of payment of all liabilities accruing under the provisions of this act The State Treasurer shall issue to such person and to the Department of Revenue a certificate of such deposit The said securities shall be retained by the State Treasurer after the termination of the license of such person whether by his own act or the action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue prior to the issuance of certification by the department that all fuel taxes penalties interest fees fines uncollectible check fees and Attorney General's fee have been paid The department shall furnish the State Treas-

urer with a copy of such certification and authorize the return of said securities by the State Treasurer to the owner

(i) Upon the surrender or revocation for cause of the license of any dealer-user the department shall return surety bonds for cancellation or deposits made in accordance with the provisions of this section only after it is satisfied that all fuel taxes penalties interest fees and fines due the Commonwealth under the terms of the bond and the provisions of this act have been paid

**Section 4 Imposition of Tax Exemptions** A permanent excise tax at the rate of three cents (3c) a gallon or fractional part thereof is hereby imposed on all dealer-users upon the use as herein defined of fuel within this Commonwealth to be computed in the manner herein-after set forth The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels used within the Commonwealth and Provided further That no tax is hereby imposed upon (1) any fuel that is used by or sold and delivered to the United States government when such sales and deliveries are supported by documentary evidence satisfactory to the department or (2) upon any fuel not in excess of fifty (50) gallons brought into this Commonwealth in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or (3) upon any fuel used by or sold or delivered for use in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or equipment when such sales and deliveries are supported by documentary evidence satisfactory to the department or (4) upon any fuel used by or sold or delivered to the Commonwealth of Pennsylvania and its political subdivisions when such sales and deliveries are supported by documentary evidence satisfactory to the department

In addition to such tax an additional state excise tax of two cents (2c) a gallon or fractional part thereof is hereby imposed and assessed on all dealer-users upon the use as herein defined of fuel within this Commonwealth within the limitations of the provisions of this section for the period beginning December first one thousand nine hundred fifty-one and ending on the thirty-first day of May one thousand nine hundred fifty-three

**Section 5 By Whom Tax is Payable** Every dealer-user upon whom a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act It shall be the duty of each dealer-user to furnish to the department such information concerning such use as the department may require

**Section 6 Dealer-user's Reports and Payments of Tax Discount Allowed Interest and Penalties** For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every dealer-user on or before the last day of each month to file with the department upon forms prescribed prepared and furnished by the department a report under oath or affirmation of the fuels used by him within this Commonwealth during the preceding month This report shall include all such information as the department may require and prescribe Dealer-users having more than one place of business within this Commonwealth shall combine in each report the use of fuels at all such separate places of business

Dealer-users at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuels used by him during the preceding month Fuels not accounted for to the satisfaction of the department shall be deemed to have been used for taxable purposes and taxes imposed thereon and collected by the department

If the report required herein is filed and tax paid on time a discount of two per centum (2%) of the gross amount of tax shall be allowed the dealer-user

The amount of all taxes imposed under the provisions



of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum (1%) per month or fractional part of a month from the date they are due and payable until paid

If any dealer-user shall fail neglect or refuse to make any report or payment as herein required an additional ten per centum (10%) of the gross amount of tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of a dealer-user may forthwith be suspended or revoked by the department and required to be surrendered to the department

**Section 7 Determination and Redetermination of Tax Penalties and Interest Due** (a) If any dealer-user shall fail neglect or refuse to secure a license as provided in this act the department shall estimate the tax due by such dealer-user and determine the amount due by him for taxes penalties and interest as prescribed herein from which determination there shall be no right of review or appeal

In the event a dealer-user shall fail neglect or refuse to file a report and pay the tax imposed by this act or if the department is not satisfied with the report and payment of tax made by any dealer-user under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such dealer-user based upon any information within its possession or that shall come into its possession

(c) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such dealer-user Within thirty (30) days after the date of any such determination such dealer-user may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within six (6) months after the date of any petition to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of action on petition by the department

(d) Within sixty (60) days after notice by the department of the action taken on any petition for redetermination filed with it the dealer-user against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the board of Finance and Revenue may prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within six (6) months the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(e) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(f) The department is hereby empowered to redetermine taxes and to authorize adjustments on current

fuel use tax reports of dealer-users of overpayments within ninety (90) days of the due date and payment providing information in the department's possession warrants such adjustment

**Section 8 Examination of Records and Equipment** The department or any employe appointed in writing by it or any officer of the Pennsylvania State Police is hereby authorized to examine the books and records of account storage tanks motor vehicles and other equipment of any dealer-user carrier or any other person pertaining to the use sale or delivery of fuels taxable under this act to determine the use or for the purpose of ascertaining whether or not the tax imposed by this act has been paid or to verify the accuracy of any report or payment made under the provisions of this act or to determine the financial responsibility of any dealer-user or the accuracy of any financial statement required to be submitted to the department under the provisions of this act or regulations of the department

The secretary or his deputy is hereby authorized and shall have the power in the enforcement of provisions of this act to hold hearings to administer oaths to witnesses and to take the sworn testimony of any person and cause it to be transcribed into writing

The secretary or his deputy is hereby authorized to issue subpoenas and subpoenas duces tecum and compel the attendance of witnesses and shall have the power to conduct such investigation as he may deem necessary If any person shall refuse access to such books and records of account or other documents or any equipment or if any person shall fail or refuse to obey such subpoenas or subpoenas duces tecum or shall fail or refuse to testify before the secretary or his deputy then the secretary or his deputy shall certify the names and faces to the court of common pleas of any county and the said court shall enter such order against such person in the premises as the enforcement of this act and justice shall require.

**Section 9 Regulations records required and retention of records by all dealer-users and carriers**

(a) The secretary shall have the authority to prescribe all forms upon which reports shall be made to the department and any other forms required for the proper administration of this act and shall prescribe and cause to be published all needful rules and regulations for the enforcement of this act

(b) Every dealer-user shall maintain issue and keep as the case may be for a period of two (2) years complete records of fuels received used sold or delivered within this Commonwealth by such dealer-user including suitable books and records of accounts and such other pertinent papers as may be required by regulation Every carrier shall keep similar records with respect to deliveries of products capable of being used as fuels

(c) Any person shall at the request of the department furnish to it information with respect to all sales and deliveries made by him to licensed dealer-users of such products capable of being used as fuels as may be designated by regulations issued by the department

**Penalty** Any person failing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for not more than thirty (30) days for each offense or both

**Section 10 Disposition and Use of Tax** The permanent and additional State taxes collected under the provisions of this act less discounts allowed shall be paid into the Liquid Fuels Tax Fund and the Motor License Fund in the same proportions as are liquid fuels taxes and are hereby specifically appropriated for the same uses and purposes

**Section 11 Discontinuance of business by dealer-user** whenever a dealer-user engaged in the "use" as defined in this act of fuels ceases to be a dealer-user by reason of discontinuance sale or transfer of his business it shall be his duty to so notify the department in writing within five (5) days after the discontinuance sale or transfer takes effect His notice shall give the date of discontinuance



and in the event of a sale or transfer of his business the name and address of the purchaser or transfer thereof It shall also be the duty of dealer-users within ten (10) days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest penalties fees and fines that may be due him and to surrender to the department the license or licenses issued to him by the department

**Penalty** Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

**Section 12 Suspension or Revocation of Licenses** Whenever the department finds that the holder of a license or licenses has failed to comply with the provisions of this act or regulations issued by the department the department shall notify such holder and afford him a hearing on five (5) days written notice except as hereinbefore provided After such hearing the department may revoke or suspend the dealer-user's license or licenses and upon suspending or revoking any license shall demand the holder thereof to surrender to it immediately all licenses issued to him and the dealer-user shall surrender within five (5) days all licenses to the department as hereby required

Any holder of a dealer-user's license aggrieved by the decision of the department in suspending or revoking his license may within thirty (30) days appeal to the Court of Common Pleas of Dauphin County from the decision of the department in the manner provided by law for appeals in the case of tax settlements No such appeal shall act as a supersedeas but the suspension or revocation of the license by the department shall remain in full force and effect pending the disposition of the appeal

**Penalty** Any person failing neglecting or refusing to surrender a license suspended or revoked by the department as provided herein shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not less than one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

(b) Liens and statements of all taxes penalties interest fees and fines herein imposed due and unpaid certified by the secretary or his representative may at any time be transmitted to the prothonotaries of the respective counties of the Commonwealth through the Department of Justice to be entered of record as of the date due and payable upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a licensed dealer-user as herein defined without first giving the department thirty days notice of the sale and a statement containing the following information

1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is to be made

2 Name of the person whose property or franchise is to be sold

3 The time and place of sale

4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish the sheriff receiver trustee assignee master or other officers having charge of the sale a certified statement of all fuel taxes penalties interest fines and fees due the Commonwealth as liens against such person and in case no such liens exist a certificate setting forth that fact which certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all taxes penalties interest fees and fines owing by any licensed dealer-user which are of record in the depart-

ment as a lien or which may become a lien against any person under the provisions of this act

**Section 14 Collection of Unpaid Taxes** Whenever the taxes penalties interest fees and fines imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of the department's action on the petition if on petition for review has been filed or within sixty days from the date of decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignment or bankruptcies the department shall request the Department of Justice to collect the same

On all claims for taxes penalties interest fees and fines hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the dealer-user for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars (\$10,000) and three (3) per centum upon the amount of recovery in excess of ten thousand dollars (\$10,000) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the licensed dealer-user and shall be a lien against his property in like manner as the amount of the claim

**Section 15 Registration of Carriers and Reports** Required of Carriers Every person engaged in or intending to engage in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner for hire to a dealer-user as defined in this act shall register with the department on forms prescribed and furnished by the department upon request

Every person engaged for hire in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner to a dealer-user either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without this Commonwealth shall report under oath or affirmation to the department on or before the last day of each month for the preceding month all deliveries of such products capable of being used as fuels taxable under this act may be designated by regulations issued by the department made to points within this Commonwealth Such reports shall be on forms prescribed prepared and furnished by the department and shall state the name and address of the consignor and consignee the number of gallons of such products which were transported and delivered together with date of delivery and any other information which the department may require

**Penalty** Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for thirty (30) days for each offense or both

**Section 16 Refunds** The Board of Finance and Revenue may refund to dealer-users tax penalties and interest provided by this act and paid by them as a result of an error of law or of fact or of both law and fact Claims for refund shall be filed with the Board of Finance and Revenue within one year of the date of overpayment and shall be made under the procedure prescribed by the Fiscal Code

All refunds of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in the amounts equal to the original distribution and the payment of such moneys into said funds

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein



authorized Estimates of the amounts to be expended from these funds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisitions of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

**Section 17 Enforcement** The department shall be charged with the enforcement of this act Such employees of the Commonwealth as are designated as "Pennsylvania State Police" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

**Section 18 Disposition of Fees Fines and Forfeitures** Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeitures that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury by the department and credited to the Motor License Fund

**Section 19 Exchange of Information Among the States** Issuance and Sale of Lists and Certified Copies of Records The secretary or his representatives shall upon request received from the officials to whom are entrusted the enforcement of the fuel tax laws of any other state forward to such officials any information for governmental use which it may have in its possession relative to the manufacture receipt sale use transportation shipment or delivery by any person of fuel

The department shall prepare issue and distribute such lists of dealer-users and carriers as may be necessary for the proper administration and enforcement of this act without charge Sales of such lists as are issued by the department under these provisions may be made for other than governmental use and for each list a fee of ten dollars (\$10) shall be charged payable in advance

The fee for each certified copy or certified photostat copy of any department record shall be one dollar (\$1) payable in advance Provided That no fee shall be charged for certified copies or certified photostat copies of any departmental records furnished to any State or Federal Government authorities

**Section 20 Uncollectible Checks** Whenever any check issued in payment of tax penalties interest fees or fines imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars (\$5) per hundred dollars or fractional part thereof plus all protest fees to the person offering such check in payment

**Section 21 Violation** (a) Any person who shall fail neglect or refuse to make the report or pay the tax penalties and interest imposed by this act or who shall refuse to permit representatives of the department or the Pennsylvania State Police to examine his books and records of account storage tanks motor vehicles or other equipment pertaining to the use sale or delivery or importation of fuels within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the quantities of fuels used sold or delivered or to avoid the payment of the whole or any part of the tax penalties or interest due shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1000) and costs

of prosecution or to undergo imprisonment for not more than one (1) year or both In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failure to make the report required and attend to the payment of tax imposed by this act Such fines shall be in addition to any penalty imposed by any other section or subsection of this act Upon conviction all of the guilty dealer-users licenses shall be revoked

(b) It shall be unlawful for any person to commit any of the following acts

(1) To display or represent as one's own or cause or permit to be displayed any license not issued to the person displaying it or to have unlawfully in one's possession any unsigned fictitious or altered license or any license which is invalid as a result of cancellation suspension revocation by the department or expiration

(2) To give use of enter a false or fictitious name or give use or enter a false or fictitious address in any investigation or on any application business record or report required under the provisions of this act or otherwise misrepresent or commit a fraud on any application or business record required under the provisions of this act

**Penalty** Any person violating any of the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand (\$1,000) and costs of prosecution or to undergo imprisonment for not more than one year or both

**Section 22 Carriers** registered with the department as such under the provisions of the Fuel Use Tax Act of 1947 as amended shall not be required to reregister under this act

**Section 23 Saving Clause** (a) The passage of this act shall not be taken or construed to relieve any person association or corporation whatsoever from the payment of any tax penalty or interest due or owing the Commonwealth under any laws in force at the time this act becomes effective or to affect or terminate any petitions investigations prosecutions legal or other proceedings pending under such laws or to prevent the commencement of any legal proceedings for violations of such laws heretofore committed or for the recovery of taxes penalties or interest due or owing to the Commonwealth under such laws

(b) All taxes penalties and interest due from users of fuels under laws heretofore in force that are collected or received by the department after the effective date of this act shall be transmitted to the State Treasury through the department and credited to the Liquid Fuels Tax Fund and the Motor License Fund in the proportion provided in the act under which the tax was collected

**Section 24 Constitutional Construction** The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

**Section 25 Acts of Assembly Repealed** The act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed



users and making appropriations" and its amendments is hereby repealed

All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 26 Effective Date This act shall become effective on the first day of December one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1676, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding immediately after Section 520 a new section to read as follows

Section 520.1 Temporary Emergency Provisions (a) Whenever an emergency shall arise which the board of school directors of any school district in the performance of its duties could not anticipate or foresee and which emergency shall result in any such school district being unable to provide for the attendance of all pupils during the prescribed length of school days number of days per week or usual hours of classes it shall be found as a fact by the school directors of any school district and so recorded on the minutes of a regular or special meeting of such board and certified to the Superintendent of Public Instruction and such board of school directors subject to

the approval of the Superintendent of Public Instruction shall have power to put into operation in such school district any one or more of the temporary provisions hereinafter provided for but in no event shall such temporary provisions remain in effect for a period of more than four years after they are first put into effect

(b) Subject to the foregoing provisions any board of school directors may

(1) Keep the schools of the district in session such days and number of days per week as they shall deem necessary or desirable but the provisions of this act requiring a minimum of one hundred eighty (180) session days as a school year shall not be affected thereby

(2) Reduce the length of time of daily instruction for various courses and classes

(c) Any school district by invoking the powers herein granted shall not thereby forfeit its right to reimbursement by the Commonwealth or other State-aid as otherwise provided for by this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Haluska,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed	McPherson, Jr.,	Stiefel,	Presiding Officer

#### NAYS—1

Holland.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1690, as follows:

An Act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after Section 12.1 thereof which was added by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1365) a new section to read as follows

#### Information and Payments on Account of Certain Former Employees

Section 12.2 (a) On the written application of any person who is a former employee under the public school system of this Commonwealth including State Teachers' Colleges and the Pennsylvania State College and who is a member of the State Employees' Retirement System but has no credit for his years of such school service under the State Employees' Retirement System the board shall promptly furnish the State Employees' Retirement Board with a statement showing the number of years for which he made contributions and for which contributions were made by the State and school district to the fund and the total amount of such contributions plus accrued interest at the time of his withdrawal

(b) Whenever the board has proof of such contributions the board shall furnish the State Employees' Retirement Board with proof thereof and shall transfer to the State Employees' Retirement Fund from the fund an amount equalling the contributions made by the State and school district to his account during such year of service and the amount of any of accumulated deductions plus accrued interest left by such person in the fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1692, as follows:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 449) are hereby reenacted and further amended to read as follows

#### An Act

To provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case



of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government. Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation. And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes. And provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax. And provided further That on reports filed for the calendar year one thousand nine hundred forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year nor shall any net operating loss sustained by the corporation during the calendar year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year. And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income.

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows:

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth.

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth.

(c) The remainder of such net income shall be divided into three equal parts:

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated.

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction

whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees.

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business.

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules. If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule.

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wage salaries commissions or other compensation of employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth.

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted or other place of business in a state other than this Commonwealth. If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state. In the case of construction contracts negotiated or effected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such portion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found



to be situated incurred or received without the Commonwealth

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as herein-after defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hun-

dred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provision of existing laws

Section 4 [Report] Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four to transmit to the department upon a form prescribed prepared and furnished by the department [a] an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

[ (a) ] (1) A true copy of its return to the Federal Gov-



ernment of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

[(b)] (2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

[(c)] (3) Such other information as the department may require

The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable year one thousand nine hundred fifty-three it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government and had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable year one thousand nine hundred fifty-three every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date of the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however

That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Governments as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be



subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with [the] such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

(d) The provisions of this section shall not be construed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not allowed as deductions under the definition of "Net Income" as contained in section two of this act

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and the right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or change as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approved by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the provisions of this act and the collection of for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of

taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for a the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the calendar years one thousand nine hundred thirty-five one thousand nine



hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three or for the fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Haluska,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Probert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahanay,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Nolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed	McPherson, Jr.	Stiefel,	Presiding Officer

#### NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1693, as follows:

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions further providing for the disposition of moneys received hereunder and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-

second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 451) is hereby further amended to read as follows

Section 3 The amount of excise tax annually to be paid by each company specified in section one of this act shall be as follows (1) In case of a company operating routes which are entirely within the limits of this Commonwealth eight (8) mills upon the dollar upon the gross receipts of such company from all operations for the period covered by such report and (2) in case of a company operating over routes when only a part of such routes lies within this Commonwealth eight (8) mills upon the dollar upon such portion of the gross receipts of such company as is represented by the ratio that the number of miles of routes operated in this Commonwealth by such company during the period for which the report is filed bears to the total number of miles of all routes operated by such company during said period The provisions hereof shall not be construed as exempting any company from complying with the laws relating to fees payable to the Department of Revenue for the registration of motor vehicles [In the event however that an excise tax shall be paid by any company to any city of this Commonwealth for the use of its highways during the period for which the report is filed the amount of such tax so paid may be deducted from the amount of tax payable to the Commonwealth as above computed upon satisfactory proof to the Department of Revenue of such payment and in addition thereto where any such company shall have paid to the Department of Revenue a registration fee or fees as provided for by the laws of this Commonwealth upon any motor vehicle or motor vehicles used in the business of carrying passengers or property for hire over the highways of this Commonwealth it shall receive a credit in each settlement for gross receipts tax made hereunder to the extent of the total amount of the registration fee or fees paid for the calendar year of which the period covered by the settlement was a part]

Section 2 Section 7 and 9 of said act are hereby amended to read as follows

Section 7 Any company violating any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of [two] five hundred [(\$200)] (\$500) dollars and costs of prosecution or undergo imprisonment for not more than one year or suffer both such fine and imprisonment

Section 9 All taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three [division (1)] of this act [from companies operating routes which are entirely within the limits of this Commonwealth] shall be paid into the State treasury through the Department of Revenue and credited to the general fund [and all taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three division (2) of this act from companies operating over routes when only a part of such routes lies within the Commonwealth shall be paid into the State Treasury through the Department of Revenue and credited to the motor license fund]

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall apply to the excise tax imposed and payable hereunder for the calendar year one thousand nine hundred fifty-one and thereafter

And said bill been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—28

Berger,	Kessler,	Peelor,	Wagner,
Blass,	Letzler,	Propert,	Walker,
Chapman,	Mahanay,	Robinson,	Watkins,
Crowe,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
			Presiding Officer

## NAYS—20

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Toole,
Dent,	Leader,	Rosenfeld,	Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1694, as follows:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A supplement to the act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premium deposits and assessments received from insurance business transacted within this Commonwealth and charging the rate of tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to the act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 212) is hereby further amended to read as follows

Section 24 It shall be the duty of the president secretary or other proper officer of each and every insurance company association or exchange incorporated by or under any law of this Commonwealth [except life insurance companies and companies doing business upon the mutual plan without any capital stock and purely mutual beneficial associations whose funds for the benefit of members their families or heirs are made up entirely of the weekly or monthly contributions of their members and the accumulated interest thereon] to make report in writing to the Department of Revenue on or before the fifteenth day of March in each year setting forth the entire amount of premiums premium deposits or assessments received by such company association or exchange during the year ending with the thirty-first day of December preceding whether the said premiums premium deposits or assessments were received in money or in the form of notes credits or any other substitutes for money and whether the same was collected in this Commonwealth or elsewhere and every such company association or exchange shall pay

into the State Treasury through the Department of Revenue within the time prescribed by law for the payment of State taxes settled by the Department of Revenue in addition to any other taxes to which it may be liable under the first and twenty-first sections of this act a tax of [eight mills on the dollar] two per centum upon the gross amount of said premiums premium deposits annuity considerations and assessments received from business transacted within this Commonwealth provided however that a credit shall be allowed in the payment of said tax in an amount equal to the capital stock and corporate net income taxes paid to the Commonwealth for the same period

Such company association or exchange in reporting for taxation may deduct from the gross premiums premium deposits and assessments all amounts returned on policies cancelled or not taken and all premiums received for re-insurance and mutual companies associations exchanges and stock companies with participating features which may for any reason be required to report under this act in addition to the aforesaid deductions may deduct the portion of the advanced premiums premium deposits or assessments returned in cash or credited to members or policyholders whether as dividends earning savings or return deposits upon the expiration or termination of their contracts and notes or other obligations received by mutual insurance companies to secure contingent premium liabilities to the extent that no assessment has been made and collected against said notes or obligations Provided That hereafter the annual tax upon premiums of insurance companies of other states or foreign governments shall be at the rate of two per centum upon annuity considerations and the gross premiums of every character and description received from business done within this Commonwealth within the entire calendar year preceding The penalties for failure to make report and pay the tax as herein required shall be provided by law

Section 2 This amendment shall be effective as to the tax upon gross premium deposits and assessments received during the calendar year one thousand nine hundred fifty one and during subsequent years

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—28

Berger,	Kessler,	Peelor,	Wagner,
Blass,	Letzler,	Propert,	Walker,
Chapman,	Mahanay,	Robinson,	Watkins,
Crowe,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
			Presiding Officer

## NAYS—20

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Toole,
Dent,	Leader,	Rosenfeld,	Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,



The senate proceeded to the third reading and consideration of House Bill No. 1695, as follows:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifth-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net income derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of thact for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all section of the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net income derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships exculding certain income proving for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" are hereby reenacted and amended to read as follows

#### An Act

To provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties Section 1 Short Title This act shall be known and may be cited as the Corporation Income Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except when the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the law of this Commonwealth the United States or any other territory or foreign country or dependency and carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include non-profit corporations building and loan associations banks bank and trust companies national banks saving institutions trust companies title insurance companies beneficial and limited life insurance companies mutual fire mutual casualty and insurance companies foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and foreign surety companies

"Department" The Department or Revenue of this Commonwealth

"Net Income" 1 Net income for the calendar year or fiscal year as returned to and ascertained by the Federal

Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable year subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any dividends received from any other corporation And provided further That no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That no deduction shall be allowed for net operating losses sustained by the corporation during any fiscal or calendar year And provided further That in the case of stock life fire casualty and indemnity insurance companies operating on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out or net income

2 In the case of corporations owning property or carrying on activities within and without this Commonwealth other than corporations carrying on activities as insurance or surety companies the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by allocations and apportionments of net income as defined in clause one hereof made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The resultant net income if any after allocation shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditure of the corporation for wages salaries commissions and other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from property and activities assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its property and activities

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from property and activities carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees to the extent of service rendered or worked performed in the Commonwealth and similar expenditures to employees not chiefly situated at connected with or sent out from



premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from property and activities assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year from service rendered work and contracts performed an sales made in the Commonwealth and all other gross receipts except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth. If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from property and activities assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state. In the case of construction contracts negotiated effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contracts shall be assignable to the State that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commission or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth.

3 In case of corporations carrying on activities as insurance or surety companies within and without this Commonwealth the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by multiplying net income as defined in clause one hereof by a fraction of which the numerator is the gross premiums received from activities carried on within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its activities everywhere.

"Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in form of notes credits or any other substitute for money less the following deductions:

(a) All premiums returned on policies cancelled or not taken.

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders.

(c) In case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums.

"Gross premiums received from activities carried on in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere "sources within this Commonwealth" includes tangible or intangible property located or having a situs in this Commonwealth regardless of whether carried on in intrastate interstate or foreign commerce.

"Carrying on activities" shall include every act power or privilege exercised or enjoyed in this Commonwealth as an incident to or by virtue of the powers and privileges acquired by the nature of the corporate organization.

"Person" Every natural person association or corporation. Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof.

The singular shall include the plural and the masculine shall include the feminine and neuter.

Section 3 Imposition of Tax Every corporation carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the same of itself or any person partnership jointstock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal year commencing in the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three and ending in the calendar years one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four. Provided however That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) as reenacted and amended according to or measured by net income.

Except as otherwise provided in this section the tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws.

Section 4 [Report] Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-four to transmit to the department upon a form prescribed prepared and furnished by the department [a] an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act. Such report shall set forth:

[(a)] (1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portion of said return as the department may designate.

[(b)] (2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and.

[(c)] (3) Such other information as the department may require.

[The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report.]



Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable. The amount of all taxes imposed under the provision of this!

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable year one thousand nine hundred fifty-three it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three to transmit in like form and manner an additional tentative report. Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable. For the taxable year one thousand nine hundred fifty-three every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable. The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid. Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court. If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all respects to the provisions of this act. The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States. In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes. Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made. The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with [the] such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary



Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts continued in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter of thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00)

and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty if wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations derived from sources within the Commonwealth for the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred fifty-three or for the fiscal years ending in the calendar years one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,  
Barr,  
Barrett,  
Berger,

Haluska,  
Kephart,  
Kessler,  
Lane,

Meade,  
Neff,  
Pechan,  
Peelot,

Taylor,  
Toole,  
Wade,  
Wagner,



Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer

## NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1697, as follows:

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 757) and the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 868) is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be imposed upon the clear value of the property subject to the tax and shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate

child to his mother and at the rate of [ten] fifteen per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth Provided That when the transfer is by the interstate laws of this Commonwealth and at the expiration of seven years from the date of the death of the intestate the estate of the intestate has not been distributed the taxes imposed by this act shall be at the rate of eighty per centum upon the clear value of the property subject to such tax passing to or from the use of a first cousin or other relative more remote in degree than a first cousin and the taxes imposed by this proviso are imposed upon every transfer by the intestate laws of this Commonwealth of an estate or a portion of an estate which estate or portion shall not have been distributed prior to the passage of this act In ascertaining the clear value of such estate the only deductions to be allowed from the gross values of such estates by the register of wills shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Territory except as otherwise provided in section one of this act Provided That the deductions herein allowed in the case of any indebtedness of the decedent shall when founded upon a promise or agreement be limited to the extent that they were contracted bona fide and for an adequate and full consideration in money or money's worth and provided further That whenever the allowance of any deduction by the register of wills from the gross value of such estates shall be in dispute the question of allowance shall be determined by the court having jurisdiction of the accounts of the personal representative of the decedent in the adjudication made by such court upon any such account and unless either party shall by exceptions to the account or to the adjudication thereon duly presented as provided by law raise its objection to the allowance or disallowance of a deduction for any credit claimed in the account or any award made in the adjudication as the case may be the adjudication confirming the account or making the award shall conclusively establish that the deduction should be allowed or disallowed as the case may be

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—45

Bane,	Kephart,	Meade,	Taylor,
Barr,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Silvert,	Wolfe,
DiSilvestro,	McGinnis,	Snowden,	Wood,
Fleming,	McMenamin,	Stevenson,	Yosko,
Freed,	McPherson, Jr.,	Stiefel,	Hare,
Haluska,			Presiding Officer

## NAYS—3

Barrett,	Holland,	Neff,
----------	----------	-------



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1698, as follows:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Realty Transfer Tax Act"

Section 2 The following words when used in this act shall have meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned or conducted by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency including but not limited to banking institutions

"Department" The Department of Revenue of this Commonwealth

"Document" Any deed instrument or writing whereby any lands tenements or hereditaments or any interest therein shall be granted bargained sold or otherwise conveyed to the grantee purchaser or any other person but does not include wills mortgages transfers between husband and wife transfers between parent and child and leases

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Value" In the case of any document granting bargaining selling or otherwise conveying any land tenement or hereditament or interest therein the amount of the actual consideration therefor inclusive of liens or other encumbrances thereon or exclusive of a commensurate part of the liens or other encumbrances thereon where such liens or other encumbrances also encumber other lands tenements or hereditaments Provided That where such document shall set forth a small or nominal consideration the "value" thereof shall be determined from the price set forth in or actual consideration for the contract of sale or in the case of a gift from the actual monetary worth of the property granted bargained sold or otherwise conveyed which in either event shall not be less than the amount of the highest assessment of such lands tenements or hereditaments for local tax purposes

Section 3 Every person who makes executes issues or delivers any document or in whose behalf any document is made executed issued or delivered shall be subject to pay for and in respect to such document or for or in respect of the vellum parchment or paper upon which such document is written or printed a State tax at the rate of one (1) percentum of the value of the property represented by such document which State tax shall be payable at the time of making execution issuance of delivery of such document

Section 4 The payment of the tax imposed by this act shall be evidenced by the affixing of a documentary stamp or stamps to every document by the person making executing issuing or delivering such document Such stamps shall be affixed in such manner that their removal will require the continued application of steam or water and the person using or affixing such stamps shall write or stamp or cause to be written or stamped thereon the initials of his name and the date upon which such stamps are affixed or used so that such stamps may not again be used Provided That the departments may prescribe such other method of cancellation as it may deem expedient

Section 5 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places as it may deem necessary

The department may appoint recorders of deeds or other persons within or without the Commonwealth as agents in accordance with the provisions of The Fiscal Code the Act of April 9 1929 P. L. 343 as amended for the sale of stamps to be used in paying the tax herein imposed upon documents and may allow a commission to said agents of one-half of one percent of the face value of the stamps

All moneys paid into the State Treasury during the effective period of this act shall be credited to the General Fund

Section 6 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and means to be used in affixing or cancelling of stamps in substitution for or in addition to the method and means provided in this act

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 7 No document upon which tax is imposed by this act shall be made the basis of any action or other legal proceeding nor shall proof be offered or received in evidence in any court of this Commonwealth unless a documentary stamp or stamps as provided in this act have been affixed thereto

Section 8 Every document upon which tax is imposed by this act when lodged with or presented to any recorder of deeds in this Commonwealth for recording shall set forth therein and as a part of such document the true full and complete value thereof or shall be accompanied by an affidavit executed by a responsible person connected with the transaction showing such connection and setting forth the true full and complete value thereof

Any such recorder of deeds who shall record any document upon which tax is imposed by this act without the proper documentary stamp or stamps affixed thereto as required by this act as is indicated in such document or accompanying affidavit shall upon summary conviction before any magistrate alderman or justice of the peace or other officer having the powers of a committing magistrate be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution and in default of payment thereof undergo imprisonment for not more than thirty (30) days Provided That when any document shall have been recorded it shall be presumed that all requirements of law affecting the title to any real property conveyed thereby have been complied with

Section 9 (a) It shall be unlawful for any person to

1 Make execute issue deliver or accept or cause to be made executed issued delivered or accepted any document without the full amount of tax thereon being duly paid or

2 Make use of any documentary stamp to denote payment of any tax imposed by this act without cancelling such stamp as required by this act or as prescribed by the department or

3 Fail neglect or refuse to comply with or violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act

Any person violating any of the provisions of this sub-



section (a) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00) and costs of prosecution or to undergo imprisonment of not more than ninety (90) days or both in the discretion of the court (b) It shall be unlawful for any person to

1 Fraudulently cut tear or remove from a document any documentary stamp or

2 Fraudulently affix to any document upon which tax is imposed by this act any documentary stamp which has been cut torn or removed from any other document upon which tax is imposed by this act or any documentary stamp of insufficient value or any forged or counterfeited stamp or any impression of any forged or counterfeited stamp die plate or other article or

3 Wilfully remove or alter the cancellation marks of any documentary stamp or restore any such documentary stamp with intent to use or cause the same to be used after it has already been used or knowingly buy sell offer for sale or give away any such altered or restored stamp to any person for use or knowingly use the same or

4 Knowingly have in his possession any altered or restored document stamp which has been removed from any document upon which tax is imposed by this act Provided That the possession of such stamps shall be prima facie evidence of an intent to violate the provisions of this clause or

5 Knowingly or wilfully prepare keep sell offer for sale or have in his possession any forged or counterfeited documentary stamps

Any person violating any of the provisions of this subsection (b) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) and costs of prosecution or to undergo imprisonment for not more than five (5) years or both in the discretion of the court

Section 10 Notwithstanding anything contained in any law to the contrary the validity of any ordinance or part of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto now or hereafter enacted or adopted by any political subdivision providing for or relating to the imposition levy or collection of any tax shall not be affected or impaired by anything contained in this act

Section 11 This act shall become effective the first day of March one thousand nine hundred fifty-two and shall remain in force until and including the thirty-first day of May one thousand nine hundred fifty-three

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—27 SENATE 107

Berger,	Kessler,	Peel,	Walker,
Blass,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Snowden,	Watson,
Crowe,	Mallery,	Stevenson,	Wolfe,
Fleming,	McPherson, Jr.	Taylor,	Wood,
Freed,	Meade,	Wade,	Hare,
Kephart,	Pechan,	Wagner,	Presiding Officer

#### NAYS—21

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Haluska,	McGinnis,	Ruth,
Barrett,	Holland,	McMenamin,	Slivert,
Byrne,	Lane,	Neff,	Stiefel,
Dent,	Leader,	Probert,	Toole,
			Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I have voted against all the new taxes that appear on the Calendar today. I still contend, as I did in the beginning of the Session, that if a little economy were practiced and the fat taken out of the budget and a fair estimate were made of the receipts that would be received from the present taxes, that no new taxes would be needed.

Mr. President, I want to again state that I am more convinced today that it would be very easy to cut the budget and if we had used the proper figures on the anticipated revenues, we could have gone home a long time ago without any new taxes, instead of staying here as we have for eleven months.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1708, on third reading, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation on the board of directors of union and merged school districts

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### SECOND READING CALENDAR

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 837, entitled:

An Act making it unlawful to print or otherwise produce wall charts tip sheets scratch sheets bookmaking tickets or other items in furtherance of illegal gambling or to transport sell or possess the same and providing penalties

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. McGINNIS. Mr. President, I desire to be recorded as voting "no".

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 875, on second reading, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 899, on second reading, entitled:

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that (House Bill No. 1234, on second reading, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the giving of treatments away from beauty culture shops and by students in beauty culture schools and permitting educational demonstrations on Sunday

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## REPORTS FROM COMMITTEES

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY, from the Committee on Local Government, reported as committed, Senate Bill No. 915, entitled:

An Act to further amend section 2002 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by requiring council to designate the chief and other police officers or to authorize the mayor to make such appointments.

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on State Government, reported as committed, Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate, projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing flood control projects and increasing the borrowing capacity of the Authority.

## BILL INTRODUCED AND REFERRED

Mr. McMENAMIN. Mr. President, I ask unanimous consent to introduce a bill at this time.



The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. McMENAMIN and MALLERY read in place and presented to the Chair Senate Bill No. 918, entitled:

An Act to amend Section 35 of the act approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 755) entitled "An act relating to executions," by requiring the filing of an affidavit and recognizance in certain execution proceedings.

Which was committed to the Committee on Judiciary General.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 915, entitled:

An Act to further amend section 2002 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by requiring council to designate the chief and other police officers or to authorize the mayor to make such appointments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 916, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the

establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by further regulating the over-all limit of tax revenues.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate, projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing flood control projects and increasing the borrowing capacity of the Authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, December 10, 1951, at 3 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:30 o'clock, a. m., Eastern Standard Time, until Monday, December 10, 1951, at 3 o'clock, p. m., Eastern Standard Time.





# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, DECEMBER 10, 1951.

No. 99.

## SENATE

MONDAY, December 10, 1951.

The Senate met at 3 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D. D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray.

Almighty God, Author of Life, and Giver of all that makes life good, we thank Thee for keeping us living to this hour, for Thy protection on the highway, Thy watch-care while we slept, and for the full vigor of mind and body with which we come to this new week of work. Our lives are in Thy hands. Nothing can separate us from Thy love. Though we are often forgetful of Thee, Thou dost never forget us, and of Thy faithfulness there is no end.

So, amidst all the burden of duties, the weight of decisions, and the pressure of politics, help us to remember Thee and take courage. As this Commonwealth was founded in brotherly love, established in freedom and kept clean of prejudice, so may we serve in our day that there ideals may be preserved untarnished, that righteousness and good will may flourish, and Godliness abound, to the glory of Thy Name. Amen.

### JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

### LEAVES OF ABSENCE

Mr. Hare asked and obtained leave of absence for Mr. DIEHM, because of illness.

He also asked and obtained leave of absence for Mr. SCARLETT, because of illness.

Mr. Mallery asked and obtained leave of absence for Mr. STEVENSON, who is attending the funeral of Representative Boorse.

The PRESIDENT pro tempore. The Chair invites the

gentleman from Somerset, Mr. Hare, to the rostrum to preside.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### REPORTS FROM COMMITTEES

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 61, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown, Pennsylvania.

He also, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 162, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

He also, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 283, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

He also, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 284, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

He also, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 286, entitled:

An Act making an appropriation to the Elwyn Training Schol at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

He also, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 344, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others.

He also, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 455, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

He also, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeomen (female) and nurses

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 551, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

He also from the Committee on Appropriations, reported as committed, Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 577, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 579, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 163, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts of the second third and fourth classes to levy additional taxes to pay rentals to municipality authorities authorizing boards of school directors to make additional appropriations or to increase appropriations authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money including proceeds of general obligation bonds to municipality authorities to acquire additional property for authority projects to lease school projects from and pay rentals to municipality authorities to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority.



He also, from the Committee on Appropriations, reported as amended, House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 370, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 772, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation

He also, from the Committee on Appropriations, reported as committed, House Bill No. 792, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates and for their admission to and care therein and the payment of the cost thereof and making an appropriation.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 819, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1066, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1073, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire and unimproved tract of land in Franklin County for the use of Pennsylvania Soldiers' Orphan School and making an appropriation

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1121, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1122, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1126, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1127, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1130, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

He also, from the Committee on Appropriations reported as amended, House Bill No. 1135, entitled:

An Act to amend the title and Section 2 and 3 of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" by authorizing the State Council to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind accept Federal funds.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1138, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh

He also, from the Committee on Appropriations reported as amended, House Bill No. 1141, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

He also, from the Committee on Appropriations reported as amended, House Bill No. 1142, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

He also, from the Committee on Appropriations reported as committed, House Bill No. 1143, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boys' Dormitory

He also, from the Committee on Appropriations reported as committed, House Bill No. 1144, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

He also, from the Committee on Appropriations reported as committed, House Bill No. 1146, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

He also, from the Committee on Appropriations reported as committed, House Bill No. 1147, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

He also, from the Committee on Appropriations reported as committed, House Bill No. 1148, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

He also, from the Committee on Appropriations reported as amended, House Bill No. 1149, entitled:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

He also, from the Committee on Appropriations reported as amended, House Bill No. 1150, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Textile Institute Philadelphia

He also, from the Committee on Appropriations reported as committed, House Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Instruction to pay expenses in the operation of the Speech and Hearing Rehabilitation Centers.

He also, from the Committee on Appropriations reported as amended, House Bill No. 1165), entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Hall in Philadelphia.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1166, entitled:

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law

He also, from the Committee on Appropriations reported as committed, House Bill No. 1178, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

He also, from the Committee on Appropriations reported as amended, House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medi-

cal College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1189, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries, and providing for reimbursement to the Commonwealth.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1217, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

He also, from the Committee on Appropriations reported as amended, House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

He also, from the Committee on Appropriations reported as amended, House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1422, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1423, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1438, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1444, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Shippensburg State Teachers College to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County Pennsylvania and making an appropriation therefor.

He also, from the Committee on Appropriations reported as amended, House Bill No. 1488, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1541, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the



water resources of the Delaware River Basin including the Incodel Plan a four-State compact for the distribution among New York New Jersey Delaware and Pennsylvania of the Waters of the Delaware River Basin.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1579, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of providing temporary emergency aid under certain conditions to school districts of the third and fourth classes in which housing projects are erected.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1654, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Hazleton State Hospital to acquire three tracts of land for the use of the Hazleton State Hospital and making an appropriation therefor.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1739, entitled:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions.

## BILLS INTRODUCED AND REFERRED

Mr. KEPHART read in place and presented to the Chair Senate Bill No. 919, entitled

An Act to further amend the last paragraph of Section 411 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for the issuance and use of regulated shooting grounds licenses and tags.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 920, entitled

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by adding turkeys to birds authorized to be killed on regulated shooting grounds.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. FLEMING (By Request) read in his place and presented to the Chair Senate Bill No. 921, entitled

An Act to further amend Section 437 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by increasing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county.

Which was committed to the Committee on Local Government.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 922, entitled

An Act authorizing and directing the Department of Property and Supplies, with the approval of the Governor, to remise, quitclaim and convey to the Burgess and Town Council of the Borough of Warren, Pennsylvania all rights, title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren; providing for the disposition of the proceeds of the sale; and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

Which was committed to the Committee on State Government.

## PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President, I have before me an editorial which appeared in the Pittsburgh Post Gazette as of this date, in regard to the monstrosity that this Senate passed last week. It is headed, "The Weapon of Shame."

"The State Senate's approval of legislation to require public posting of names of all relief clients is a prime example of good intention misdirected. In an attempt to eliminate chiselers—estimated at from one to three per cent of the total—from relief rolls, the Senate would also brandish the weapon of shame against the innocent majority. That procedure is wrong and it ought to be stopped.

"Judicious publicity would admittedly, help to rid the lists of chiselers. Since relief clients are supported by public funds, the Senate would be justified in passing a law making the lists available to any citizen wishing to confirm his suspicions of abuse. When abuses are uncovered, they ought to be fully publicized. That could aid in the removal of suspicion and thus strengthen the public assistance program.

"As we have pointed out before, there is no reason why a decent reserve in the publicizing of relief programs cannot be combined with a determination to bring to the public's attention instances of maladministration or fraud.

"But to require the posting of names of all clients in such public places as courthouses and city halls is a throw-back to the days of 'over the hill to the poorhouse.' It certainly does not accord with that portion of the State's Public Assistance law stating that the chief purpose of public assistance is 'to encourage self-respect, self dependency, and the desire to be a good citizen and useful to society.'

"Critics of the Senate bill have raised this pertinent question: Who is going to feel the indignity most, the family trying against great odds to maintain a decent,

self-respecting home life, or those who just naturally cheat and chisel?

"Experience in other states has shown that publicity has never deterred the conscienceless but it has worked hardship upon deserving people who would forego legitimate assistance rather than suffer an invasion of privacy.

"Kansas and Minnesota experimented with the publication of assistance rolls and abandoned it. The governors of New York New Jersey have announced that they will not use the 'weapon of shame.' They know that the real answer to the problem of relief chiseling is better administration rather than indiscriminate publicity. The State already has sufficient powers to deal with chiselers. It needs only sufficient personnel to do an adequate job of policing the program.

"Before this legislation goes farther, Assemblymen should recall the nature and purposes of public assistance and revise their law accordingly. Above all, they should temper their action with a decent regard for the sensibilities of unfortunates who find themselves in humiliating circumstances through no fault of their own."

I say to you, Mr. President, that I call upon the Governor of this great Commonwealth, in the event the Members of the House show the shortsightedness which was demonstrated here in the Senate, to veto this vicious piece of legislation.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, in presenting this resolution, I want to explain to the gentlemen of the Senate that on September 26, when we recessed, we recalled Senate Bill No. 668 from the Governor for the purpose of amendment in order to have it still in the possession of the Senate during the period of the recess.

Mr. President, the bill is the act designating the several judicial districts of the Commonwealth, and it has been on the Senate table since its recall from the Governor. I have before me a resolution returning it to the Governor without amendments, so that it will be presented to the Governor for action in the same form that it was when it passed the Senate forty-eight to nothing, and that is the purpose, in order to keep it active before the Governor.

#### SENATE CONCURRENT RESOLUTIONS

##### RETURNING TO THE GOVERNOR SENATE BILL NO. 668 WITHOUT AMENDMENTS

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 10, 1951

Resolved, (if the House of Representatives concur) That Senate Bill No. 668, Printer's No. 357, entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts," which was recalled from the Governor, September 27, 1951 be returned to the Governor without amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, on November 20, 1951, this Commonwealth was greatly shocked by the tragic death of our friend, the Secretary of Highways, Ray F. Smock. I expected later on in the week to present, in the form of a resolution, a fitting tribute to Ray Smock, but so many have come to me in the past week or so asking that some fitting memorial be designated for our good friend, Ray Smock, that I thought I should wait no longer in presenting this resolution designating a certain portion of highway and bridge into Meadville as the Ray F. Smock Memorial Bridge and Highway.

Mr. President, this particular bridge and highway were very near and dear to Ray Smock's heart. For many years we have needed this bridge coming into Meadville, and he took great pride in seeing to it that it was initiated during his term of office.

Mr. President, I am very sorry, of course, that my good friend Ray, did not live to see the completion of this work, I feel that he would, of course, be the last one to want any type of memorial erected or dedicated to him, but inasmuch as I believe we should present one or designate a memorial for him, I feel that it should be something in Crawford County. He always said, when he was introduced, that he was a country boy from Greenwood Township, Crawford County. He loved Greenwood Township, he loved Crawford County, and we feel proud in Crawford County of having given him to the Commonwealth of Pennsylvania.

##### RAY F. SMOCK MEMORIAL HIGHWAY AND BRIDGE

Mr. MAHANY offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 10, 1951

The Honorable Ray F. Smock served the Commonwealth as its Secretary of Highways from March 21, 1946, until his death, November 20, 1951. His administration of the tremendous task of construction and maintenance of Pennsylvania's vast and intricate system of State highways merits the highest commendation and lasting recognition; therefore, be it

Resolved (if the House of Representatives concur) That the portion of State highway from Conneaut Lake to Meadville, in Crawford County, known as U. S. Route No. 322, including the overhead bridge and viaduct leading into the City of Meadville, be designated as the Ray F. Smock Memorial Highway and Bridge; and be it further

Resolved, That the Department of Highways shall erect along said highway and bridge suitable tablets or markers to perpetuate this resolution.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

##### SENATE BILL NO. 789 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and, the administrative departments, boards, commis-



sions, and officers thereof, including the boards, of trustees of the State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of several administrative departments, boards, commissions, and officers: fixing the salaries of the Governor, Lieutenant Governor, and certain other executives and administrative officers; providing for the appointment of certain administrative officers, and all deputies and other assistants and employes in certain departments, boards, commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined" by making special provision for the purchase of coal for use in any State hospital or any other State institution.

and move a committee of conference on the part of the Senate be appointed.

Mr. CROWE. Mr. President, I second the motion.  
The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL NO. 789

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. MAHANY, MALLERY and LEADER, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 789.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL NO. 655 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution districts purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in township of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and changing procedure on appeals to court.

and move a committee of conference on the part of the Senate be appointed.

Mr. WOLFE. Mr. President, I second the motion.  
The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL NO. 655

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. STEVENSON, MALLERY and LANE, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 655.

Ordered, That the Clerk inform the House of Representatives accordingly.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirement for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### BILL POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 431, on third reading, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

be placed on the Third Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 837, on third reading, entitled:

An Act making it unlawful to print or otherwise produce wall charts tip sheets scratch sheets bookmaking tickets or other items in furtherance of illegal gambling or to transport sell or possess the same and providing penalties

go over in its order.

Mr. President, for the information of the gentlemen of the Senate, I want to explain that certain amendments are being prepared to clarify the condition of the bill, at the request of some on the Majority side, regarding the publication of certain race information in newspapers of general circulation. For that reason, Mr. President, I request that the bill go over until tomorrow so that the amendments can be placed before the Senate for consideration.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

Mr. YOSKO. Mr. President, I desire to make a few remarks with reference to Senate Bill No. 837.

### INTERROGATION

Mr. WALKER. Mr. President, will the gentleman from Northampton, Senator Yosko, permit himself to be interrogated? I would like to ask one question.

The PRESIDING OFFICER. Will the gentleman from Northampton, Mr. Yosko, permit himself to be interrogated?

Mr. YOSKO. Yes, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Northampton if his remarks could be saved until tomorrow when the bill is before the Senate for action. At that time, Senator, the amendments that have been suggested will be before us for consideration also, and I thought perhaps they could be included in your remarks. If the gentleman can withhold his comments until the bill is before us for action, since it has already gone over in order, then we would have the benefit of them fresh in our minds when we are considering the bill.

Mr. YOSKO. Mr. President, I see no particular objection to it. The remarks I would make today and tomorrow would be the same whether the bill would be amended or not.

Mr. WALKER. Mr. President, I want the gentleman to understand I am not objecting to him making the remarks today. I was merely suggesting, in an orderly process, that the remarks be made on the bill when it is before us for third reading action.

Mr. YOSKO. Mr. President, if that is the way you wish it, I will yield.

Mr. WALKER. Whichever way you want to handle it, Senator, is perfectly all right with me. I will take it today or tomorrow.

Mr. YOSKO. Mr. President, I will talk about it today.

Mr. WALKER. Mr. President, may I make this observation? I know Senator Yosko will not mind. In law school when they are teaching you the art of cross-examination, one of the things they urge upon you is do not ask that last question.

### PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, when I introduced this bill, I had talked about racketeering in Pennsylvania and, in particular, I talked about the \$30,000,000 that was being weaned from Pennsylvanians by those who operate the Treasury balance racket. I talked about Captain McElroy appearing before the Senate Crimes Investigating Committee when he testified concerning that racket and other rackets, and I included in my remarks the fact that I had prepared a bill to legalize horse racing in Pennsylvania, and that since I could not introduce the bill in the Senate, due to the fact that it was a revenue raising measure, I asked my colleague, Francis Bucchin, in the House, to introduce the bill.

Mr. President, I explained too, that the bill called for the construction of three race tracks by the General State Authority, one in the Philadelphia area, one in the Pittsburgh area and one in the Scranton Wilkes-Barre area, and I pointed out that under the bill the profits that would be realized from these race tracks would be applied toward the payment of the bonds that were floated for the soldiers' bonus. I pointed out, too, that I go to race tracks once in awhile, and that race tracks are operated by States surrounding Pennsylvania; the states of Ohio, Maryland, Delaware, New Jersey, New York and Massachusetts. I said at that time that I made a little survey concerning horse racing in the surrounding states. I pointed out that 15,829,983 people attended race tracks in the states surrounding Pennsylvania in 1950. I said that about \$900,000,000 was wagered at those race tracks, that the taxes realized by those states amounted to about \$60,000,000, and that in New York, \$15,000,000, almost \$16,000,000, of the taxes paid to that state were paid back to the local municipalities.

Mr. President, I pointed out, too, that when I went to these race tracks, I saw more Pennsylvania cars at those tracks than cars from any other State, and that convinced me that millions of Pennsylvania dollars were flowing into these other States. They were getting the benefit of our tax dollars, and in addition to that, the hotels and other business places that were patronized by the Penn-



sylvanians took in additional thousands or millions of dollars upon which a tax was collected for whatever the Pennsylvanians purchased or whatever they got for their tax dollars, because almost everything today has a tax on it.

Mr. President, I said then that if we did not want to legalize horse racing in Pennsylvania, in spite of the fact that it is legalized in every other State, in spite of the fact that we need money here very badly, then we ought to be lily-white and get rid of the racketeers and the race horsing business. One of the ways to help get rid of them was by that bill, and I introduced it that day, together with a resolution calling upon the State Police to organize a racket busting squad in Pennsylvania. I do not know of the State Police organizing a racket busting squad, and I know that the horse racing bill in the House was not passed.

Mr. President, the other day some of the newspapermen came to me and they said to me, "What about this Senate Bill No. 837?" I did not get it at the moment. I said, "What do you mean by Senate Bill No. 837?" "Why, it is your bill." I said, "Well, which bill is it? I have a lot of bills in." They said it is the bill which prohibits the printing or distribution of data that has anything to do with horse racing. So, I got a copy of the bill and took a look at it, and answered some questions that were asked of me.

Mr. President, I knew that this particular bill was in the Law and Order Committee, of which I am a member. So, I went to Senator Letzler and I said, "Senator, when was there a meeting called about this bill?" Don't misunderstand me for one minute, I am not talking against this bill. I am for this bill just as much now as I was the day I introduced it, but it seemed funny to me the way it was reported out. It seemed to me that there was some motive behind the way it was done, some particular reason behind it for the way it was done, because I know Senator Letzler, and I want to say for him that he is a high type person, a high type Member of this Senate. I have attended meetings of the Law and Order Committee with him, he is courteous, he is a gentleman, he is considerate, and I could not understand why Senator Letzler would report that bill out of committee without coming over to me, out of respect to me as a Member of the Senate, and say, "Senator, I am making a survey, a tour of the Senators on the Law and Order Committee, to find out whether or not they will report your bill out." I was not even consulted, they did not even ask me for my vote to report it out and I am a member of that committee. That is why I said to myself, "There is some motive for this thing," and I sat here and tried to figure out just what the motive was, what the reason behind it was.

Mr. President, I said to myself, "They are not trying to flatter me by reporting one of my bills out. I am a Democrat, and the bills introduced by Democrats and reported out you can count on the fingers of your two hands. Are they honoring me by reporting one of my bills out?" I said to myself, "They would not do that." I have a lot of better bills in than this one, because this bill, frankly, is not needed as badly now as it was the day it was introduced, because the Democratic Administration in Washington helped to take care of and reduce the number of racketeers. The Kefauver Committee conducted hearings all over the United States, and they uncovered racketeering that was going on and the Democratic Administration in

Washington did something about it. It passed an Act that requires these racketeers and gamblers to register and take out a stamp to identify themselves. It forces them to maintain an up-to-date bookkeeping system of their activities, and as a result of the restrictions placed on the racketeers, racketeering has been, as of this date, reduced to a minimum. As a matter of fact, I read somewhere in one of the Pittsburgh papers where only fifty-one of them took out stamps in twenty-four counties in the western part of Pennsylvania, so that the need for this bill is not as great as it was before the Democratic Administration in Washington actually did something about this racketeering.

Mr. President, getting back to the flattery, I say again, I have better bills in committee than this one, and one of them deals with a subject that, frankly, I have talked about time and time again. As a matter of fact, I will go as far as to say that if it is for flattery purposes, and they want to do me a favor by reporting one of my bills out, I will make a deal with them. I will agree to send this bill back and get the other one out.

### POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, the word "deal" has been mentioned on the floor of the Senate.

The PRESIDING OFFICER. Your point of order is well taken.

Mr. WALKER. Senator Yosko, you mentioned the word "deal." You said you would make a "deal" with us, and I am rising on a point of order. We don't use that word on the floor of the Senate any longer.

Mr. YOSKO. I will make a bargain with you.

Mr. WALKER. That is better, Mr. President.

The PRESIDING OFFICER. The gentleman from Northampton may proceed.

Mr. YOSKO. Seriously, Mr. President, I have a bill in that I am really interested in, and it has to do with the poor and unfortunate in our State.

Mr. President, a short time ago I went over to the Department of Health, and I went into the Tuberculosis Bureau over there and I made some—

The PRESIDING OFFICER. Will the gentleman yield for a moment? The Chair has extended a lot of leniency on this, Senator Yosko. You asked for unanimous consent to discuss Senate Bill No. 837. Now, I understand you are on some of your better bills.

The Chair rules that you are out of order if you are discussing matters others than Senate Bill No. 837.

### PERSONAL PRIVILEGE

Mr. YOSKO. Mr. President, I rise to a point of personal privilege.

The PRESIDING OFFICER. The gentleman from Northampton, Mr. Yosko, will state his point of personal privilege.

Mr. YOSKO. Mr. President, I went to the Health Department—

The PRESIDING OFFICER. The gentleman from Northampton, Mr. Yosko, will state his point of personal privilege.

Mr. YOSKO. Mr. President, I am stating it.

The PRESIDING OFFICER. We are on today's Calendar.

There is nothing in order but today's Calendar. The gentleman is clearly out of order.

Mr. YOSKO. Mr. President, I have a right to talk about anything I want to talk about under personal privilege.

The PRESIDING OFFICER. There is nothing in order but the Calendar. We are now on the Calendar. You asked unanimous consent to discuss Senate Bill No. 837, and it was granted.

Mr. YOSKO. Mr. President, I asked unanimous consent to discuss the reasons why Senate Bill No. 837 was reported out, according to my own impressions, and I want to continue.

The PRESIDING OFFICER. The gentleman is going far afield.

Mr. YOSKO. Mr. President, are you invoking the gag rule here?

The PRESIDING OFFICER. It is not the desire of the Chair to invoke the gag rule at any time. There is nothing in order but the Calendar.

Mr. WALKER. Mr. President, may we be at ease?

(The Senate was at ease.)

Mr. YOSKO. Mr. President, after a little consultation here, I have decided that I will be more considerate of the Chair than the Chair has been of me, and for that reason I will postpone the balance of my remarks until such time as I shall select.

The PRESIDING OFFICER. The Chair thanks the gentleman from Northampton.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1708, as follows:

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation on the boards of directors of union and merged school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 312 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 312 Union and Merged Districts [Whenever any two or more school districts shall be consolidated into a union school district the directors then in office in each of said districts shall continue in office until the expiration of their respective terms and shall jointly constitute the board of school directors of the union school district At the first municipal election after a union school district is created and at each subsequent municipal election there shall be elected in the union school district the same number of school directors and for like terms as is provided by this act for school districts of the class to which such union school district belongs so that upon the expiration of the terms of the directors of the former districts which were united the board of school directors of the union school district shall be composed of the same number as in other districts of its class] (a) In all union districts and all districts resulting from the

merger of two or more districts there shall be one director elected in each of the component cities boroughs towns and townships (hereinafter referred to as "municipalities") making up the union or merged district and such additional number elected at large in the union or merged district as are necessary to make up the number of directors provided by this act for school districts of the class to which the union or merged district belongs If there are more component municipalities than there are directors provided for the appropriate class of district the number of directors of the union or merged district shall equal the number of component municipalities In such event the number of directors shall be divided into three groups as nearly equal as possible The members of each group shall be elected at three successive municipal elections and shall serve for terms of six years each

(b) When two or more school districts are formed into a union district or are merged the director then in office in each district shall until the end of their respective terms be directors of the union or merged district At the first municipal election after the union or merger in the case of newly formed districts and at the municipal election in one thousand nine hundred fifty-three in the case of existing union or merged districts and in both cases at each subsequent municipal election directors shall be elected in a number of the component municipalities equal to the number of directors to be elected at that election in districts of the class to which the union or merged district belongs or to which the district is entitled under subsection (a) of this section The order of priority of component municipalities in electing directors shall be in accordance with the population of the component municipalities according to the United States decennial census last preceding the union or merger or in the case of existing districts the one thousand nine hundred fifty census Directors to be elected at large shall be elected after all component municipalities have elected a director

Section 2 Section 313 of said act is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Haluska,	McPherson, Jr.,	Taylor,
Barr,	Holland,	Meade,	Toole,
Barrett,	Kephart,	Neff,	Wade,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peel,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Hare,
Freed	McMenamin,	Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 875, entitled:



An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LETZLER offered the following amendment:

Amend Sec. 1 (Sec. 516.1), page 3, lines 2, 3, 4 and 5, by striking out the words "The board of" in lines 2, all of lines 3 and 4, and the words "the National School Boards Association" in line 5

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. LETZLER. Mr. President, I ask unanimous consent that Senate Bill No. 899, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection. The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rules requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 915, entitled:

An Act to further amend section 2002 of the act, approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by requiring council to designate the chief and other police officers or to authorize the mayor to make such appointments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 916, on second reading, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess, and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the over-all limit to tax revenues

go over in its order.

The PRESIDING OFFICER. Is there objections? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the right of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign, convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects and increasing the borrowing capacity of the Authority

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1234, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and

operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the giving of treatments away from culture shops and by students in beauty culture schools and permitting educational demonstrations on Sunday

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats

barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 370, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 772, entitled:

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 819, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1066, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1073, entitled:



An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of the Pennsylvania Soldiers' Orphan School, to acquire an unimproved tract of land in Franklin County for the use of the Pennsylvania Soldiers' Orphan School; and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1121, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1122, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1126, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1127, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1130, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1135, entitled:

An Act to amend the title and Sections 2 and 3 of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council

providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" by authorizing the State Council to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind accept Federal funds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1138, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1141, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1142, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1143, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction to complete the new Boys' Dormitory.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1144, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1146, entitled:

An Act making an appropriation to Berean Manual Training School at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1147, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1148, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1149, entitled:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1150, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Instruction to pay expenses incurred in the operation of the Speech and Hearing Rehabilitation Centers

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1165, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1166, entitled:

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1178, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1189, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement of the Commonwealth

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1217, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1422, entitled:



An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1423, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1438, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration House Bill No. 1444, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Shippensburg State Teachers College to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County Pennsylvania and making an appropriation therefore.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1488, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1541, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the Incodel Plan a four-State compact for the distribution among New York New Jersey Delaware and Pennsylvania of the Waters of the Delaware River Basin.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1579, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of providing temporary emergency aid under certain conditions to school districts of the third and fourth classes in which housing projects are erected.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1654, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Hazleton State Hospital to acquire three tracts of land for the use of the Hazleton State Hospital and making an appropriation therefor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1739, entitled:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a fifteen minute recess to permit a meeting of the Committee on Local Government.

Mr. STIEFEL. Mr. President—

The PRESIDING OFFICER. For what purpose does the gentleman rise?

Mr. STIEFEL. In connection with that motion, Mr. President.

The PRESIDING OFFICER. Is there a seconder to the motion?

Mr. KEPHART. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

### POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Barr, will state his point of order.

Mr. BARR. Mr. President, Senator Stiefel had the floor before the motion was seconded by Mr. Kephart.

The PRESIDING OFFICER. The motion was made before. It must have a seconder.

Mr. BARR. Mr. President, the floor belonged to Mr. Stiefel. I say the chair was out of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Stiefel was not recognized.

Mr. BARR. Mr. President, the gentleman from Philadelphia was recognized.

Mr. WALKER. Mr. President, may I inquire if the gentleman from Philadelphia, Senator Stiefel, is going to speak on the motion, does the gentleman have any objection to having the motion properly before the Senate in order to have it discussed?

Mr. STIEFEL. Mr. President, the Chairman of the Committee on Local Government is not present here, and he gave us solemn assurance that until tomorrow morning there will be no meeting called. I do not believe, in fairness to that assurance and in the absence of the Chairman of the Committee on Local Government, that a meeting of this nature should be called now.

Mr. MAHANY. Mr. President, Senator Stevenson this morning at about 9:30 told me that he could not be present during today's Session, due to the fact that he was going to Squire Boorse's funeral, and he asked me to conduct a meeting of the Local Government Committee sometime during the day. So I am asking that this meeting be called at the request of Senator Stevenson.

### INTERROGATION

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Crawford.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

### POINT OF ORDER

Mr. KEPHART. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Kephart, will state his point of order.

Mr. KEPHART. Mr. President, the motion before the Senate is a motion for a recess and it is not debatable.

The PRESIDING OFFICER. For the information of the gentleman from Philadelphia, Senator Kephart, Stiefel is not debating the motion. He is seeking information.

The gentleman from Philadelphia, Mr. Stiefel, may proceed.

Mr. STIEFEL. Mr. President, I would like to ascertain

from the gentleman from Crawford, Senator Mahany, what is the urgency for this meeting, when you are fully aware of the fact that tomorrow at eight o'clock in the morning there will be another meeting? What is the urgency?

Mr. MAHANY. I have no answer to that, Mr. President. I am calling this meeting at the request of Senator Stevenson, who is the Chairman of the Committee. I believe that we have that right, and a recess is being asked to do that.

Mr. President, this is the first time since I have been in the Legislature, since 1943, that I have ever heard any remarks made by anybody on either side of the house relative to calling a recess for a meeting of a committee. I am astounded that this is being done at this time.

Mr. STIEFEL. Mr. President, the reason why I am doing it at this time is because I do not want to see the Senate of Pennsylvania sinking to a low which has not been precedented.

Mr. President, there is a meeting called for tomorrow morning at eight o'clock, a meeting designated, an announcement was made and it is in the early hours in the morning. At eight o'clock in the morning there will be a meeting, and I want to know why at this moment there is such an urgency that the meeting is called during the recess?

The PRESIDING OFFICER. The question is on the motion.

Mr. STIEFEL. There is one more question, Mr. President. With your permission, I would like to further interrogate the Senator from Crawford.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be further interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. STIEFEL. Mr. President, the Committee on Local Government is composed of a group of studious, diligent and assiduous Senators. I did not say insidious, I said assiduous. Maybe after the meeting I will say insidious.

Now, Mr. President, I know that the material on the backlog has been completely eliminated. There are only a few insignificant bills remaining on the agenda. I would like to inquire what is the magnitude of a bill that compels a meeting to be called at such an hour. I would like to know which bills will be placed on the agenda today.

Mr. MAHANY. I notice, Mr. President, that the good Senator Stiefel is a Member of that Committee, and by this time if he had not been making so much fuss he would have found out what we were going to talk about. I suggest that he let us get back there and present the bill in proper order as is always done.

Mr. STIEFEL. Mr. President, at the present time, speaking as one of fifty and not speaking as a Member of the Committee on Local Government, I am curious. I want to be prepared, I want to know what I should study before coming to that committee meeting.

Mr. President, I wish to further interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be further interrogated?

Mr. MAHANY. Yes, Mr. President.

Mr. STIEFEL. Now, what are the bills that will be considered by the committee today?

Mr. MAHANY. Mr. President, the bills that will be considered will be those that we will bring before the com-



mittee, and I refuse to answer any questions as to what bills we are going to consider. I believe that the gentleman is out of order in asking that question.

Mr. President, during my tenure in the Legislature since 1943, I have never yet heard any questions asked about what bills would be considered in a committee meeting to be called. If we can have this committee meeting, the bills that we are going to present and discuss will be discussed there, and we will get on with the business in the regular fashion.

Mr. STIEFEL. Mr. President, one of the reasons that I am so persistent is because I am very fond of Senator Stevenson. I mean it. When that Kephart opus was offered on the floor of the Senate last week, I was the first one to get up and say that this committee was going to be very circumspect and very cautious in discussing the bill. Now I have a notion, that this opus is going to be presented at this meeting, and I do not want any aspersions cast upon Senator Stevenson or any suspicion that he purposely was absent from Harrisburg in order to give an opportunity for the consideration of this bill, and for that reason I feel it is unfair to call a meeting for the consideration of this bill at this moment.

The PRESIDING OFFICER. The question is on the motion.

And the question recurring,

Will the Senate agree to the motion?

#### MOTION FOR ADJOURNMENT

Mr. BARR. Mr. President, I move that the Senate do now adjourn until Tuesday, December 11, 1951, at 3 o'clock, p. m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I ask for a roll call.

Mr. STIEFEL. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. LANE and Mr. STIEFEL and were as follows, viz:

#### YEAS—19

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Yosko,
Dent,	Leader,	Rosenfeld,	

#### NAYS—23

Berger,	Kephart,	Meade,	Walker,
Blass,	Kessler,	Pechan,	Watkins,
Chapman,	Letzler,	Robinson,	Wolfe,
Crowe,	Mahany,	Snowden,	Wood,
Fleming,	Mallery,	Taylor,	Hare,
Freed,	McPherson, Jr.,	Wade,	Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the motion to recess?

Mr. ROSENFELD. Mr. President, I move that the Senate do now adjourn until Tuesday, December 11, 1951, at 2 o'clock, p. m., Eastern Standard Time.

(The Senate was at ease.)

The PRESIDING OFFICER. The Senate will be in order.

On the second motion to adjourn, the second consecutive motion to adjourn, the Chair rules the motion out of order because of a lack of intervening business between the two motions.

The question recurs. The motion now is to recess for fifteen minutes.

Mr. LANE. Mr. President—

The PRESIDING OFFICER. For what purpose does the gentleman rise?

Mr. LANE. Mr. President, I wanted to speak on the motion.

The PRESIDING OFFICER. The motion is not debatable. A motion to recess is not debatable.

And the question recurring,

Will the Senate agree to the motion to recess?

Mr. STIEFEL. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

(During the calling of the roll the following occurred:)

Mr. NEFF. Mr. President, I move that the matter before the Senate be laid upon the table.

The PRESIDING OFFICER. The motion is out of order. The roll call is all that is in order.

Mr. NEFF. Mr. President, the roll call has not been announced as yet, and a motion to table is in order until the announcement of the roll has been made.

The PRESIDING OFFICER. The only thing before the Senate, Senator Neff, is the roll call.

#### PERSONAL PRIVILEGE

Mr. NEFF. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The gentleman is out of order. The question of personal privilege does not take precedence over the roll call.

Mr. STIEFEL. Mr. President, I ask for a verification of the roll.

Mr. ROSENFELD. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Kephart,	Meade,	Walker,
Blass,	Kessler,	Pechan,	Watkins,
Chapman,	Letzler,	Robinson,	Wolfe,
Crowe,	Mahany,	Snowden,	Wood,
Fleming,	Mallery,	Taylor,	Hare,
Freed,	McPherson, Jr.,	Wade,	Presiding Officer

The PRESIDING OFFICER. Are there any corrections?

Mr. STIEFEL. Mr. President, how is the gentleman from Philadelphia, Mr. Kephart, recorded as voting?

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Kephart, is recorded as having voted "aye."

Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Yosko,
Dent,	Leader,	Rosenfeld,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

Mr. ROSENFELD. Mr. President, other business having intervened, I now move that this Senate do adjourn—

The PRESIDING OFFICER. There is nothing in order but the announcement of the roll call.

The PRESIDING OFFICER. The vote on the motion to recess: ayes 23, nays 19, and the motion is carried.

The yeas and nays were required by Mr. STIEFEL and Mr. LANE and were as follows, viz:

## YEAS—23

Berger,	Kephart,	Meade,	Walker,
Elass,	Kessler,	Pechan,	Watkins,
Chapman,	Letzler,	Robinson,	Wolfe,
Crowe,	Mahany,	Snowden,	Wood,
Fleming,	Mallery,	Taylor,	Hare,
Freed,	McPherson, Jr.,	Wade,	Presiding Officer

## NAYS—19

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Yosko,
Dent,	Leader,	Rosenfeld,	

So the question was determined in the affirmative.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## REPORTS FROM COMMITTEES

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Mines and Mining, re-reported as committed, Senate Bill No. 863, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the dispositions of fines.

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Local Government, reported as amended, Senate Bill No. 897, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employes from the civil service provisions of the Philadelphia Home Rule Charter imposing additional duties upon the Governor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasury

shall be determined and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

## BILL INTRODUCED AND REFERRED

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING (By Request) read in place and presented to the Chair Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 359), entitled "A supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties," by making certain editorial changes.

Which was committed to the Committee on Local Government.

## MOTION TO READ BILL FOR THE FIRST TIME

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of the bill just reported from committee for the first time at today's session.

Mr. CROWE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. ROSENFELD. Mr. President, I object to Senate Bill No. 897 being read for the first time.

The PRESIDING OFFICER. The bill appear on tomorrow's First Reading Calendar.

## PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, there is a saying, "A minute of haste and a lifetime of regret," and I do not want the Senate of Pennsylvania to regret such hasty action on Senate Bill No. 897.

## MOTION TO RECOMMIT SENATE BILL NO. 897

Mr. STIEFEL. Mr. President, I move now that Senate Bill No. 897, as amended, be referred back to the Committee on Local Government for further consideration.

## POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.



Mr. WALKER. Mr. President, Senate Bill No. 897 is not before us for consideration.

The PRESIDING OFFICER. The point of order is well taken.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, December 11, 1951, at 4 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:31 o'clock, p. m., Eastern Standard Time, until Tuesday, December 11, 1951, at 4 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, December 10, 1951

The House met at 4:30 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

### ANNOUNCEMENT OF DEATH OF MEMBER

The SPEAKER. The Chair announces with profound sorrow the death on Friday, December 7, 1951, of the Honorable Howard F. Boorse, representing the third district of the County of Montgomery.

As a mark of respect to the memory of our deceased Member, the Chair requests the Members to remain standing with bowed heads at the conclusion of the prayer until the gavel falls.

Prayer will be offered by the Chaplain.

### PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, we thank Thee for this day. Open our eyes that we may let none of its wonder pass unseen. Give us a courageous, positive interest in everything that happens around us. Help us to lay hold upon every opportunity to be of use this day, and then take from our hearts all vain regrets and all empty dreams of the future that we may follow Him Who went about day by day doing the good of that day, Jesus Christ our Lord.

Accept our prayer on behalf of the soul of Thy servant, Howard, and grant him an entrance into the land of light and joy, in the fellowship of Thy saints. Remember Thy servants who are now in sorrow, endue their souls with patience. Comfort them with a sense of Thy goodness. Lift up Thy countenance upon them and give them peace, through Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, October 2, 1951? If not, and without objection, the Journal is approved.

### QUESTION OF INFORMATION

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Andrews, rise?

Mr. ANDREWS. To inquire what the last issue of the Journal happens to be.

The SPEAKER. The Chair will inquire of the Chief Clerk.

For the information of the gentleman from Cambria, the Chair is informed by the Chief Clerk that the Journals are printed to date. The Chief Clerk has sent a messenger to bring to the rostrum the last copy of the Legislative Journal.

Mr. ANDREWS. I thank the Speaker if that is actually the case.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1402, 1557, and 1703.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 29, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1402, Printer's No. 971, entitled "An Act providing for appeals from the decisions of Civil Service Boards and Commissions in cities."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1557, Printer's No. 860, entitled "An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled 'An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments' by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to purchase real property."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1703, Printer's No. 1061, entitled "An Act making an appropriation to the Senate and to the House of Representatives of the Gen-

eral Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employes and contingent expenses."

JOHN S. FINE.

October 11, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1247, Printer's No. 1032, entitled "An Act to further amend section two of act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled 'An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act' by changing or deleting certain routes and adding certain new routes."

JOHN S. FINE.

October 11, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1248, Printer's No. 627, entitled "An act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled 'An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth' by changing certain routes."

JOHN S. FINE.

October 11, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1249, Printer's No. 1033, entitled 'An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled 'An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction' by removing additional roads from the State highway system."

JOHN S. FINE.

October 11, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1250, Printer's No. 1064, entitled "An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled 'An act establishing certain streets in boroughs and incorporated

towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth' by changing or deleting certain routes and adding certain new routes."

JOHN S. FINE.

October 11, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1251, Printer's No. 1065, entitled "An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled 'An act establishing certain townships roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act' by changing or deleting certain routes and adding certain new routes."

JOHN S. FINE.

October 11, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1252, Printer's No. 640, entitled "An Act to establish certain roads or sections of road as State Highways."

JOHN S. FINE.

October 11, 1951.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1253, Printer's No. 628, entitled "An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled 'An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth' by changing certain routes."

JOHN S. FINE.

## COMMUNICATIONS

### CONCURRENT RESOLUTION — STATE OF NEW HAMPSHIRE

The SPEAKER laid before the House a Concurrent Resolution of the House of Representatives of the State of New Hampshire making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States.

Referred to the Committee on Judiciary.

### RESOLUTION — CITY OF CLARION PROTESTING PROPOSED CONGRESSIONAL APORTIONMENT

The SPEAKER laid before the House a communication and resolution from the City of Clarion protecting the proposed plan of congressional apportionment.

Referred to the Committee on Elections and Apportionment.

MR. HALL IN THE CHAIR



## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 207.

An Act to further amend the second paragraph of section 2 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by further providing for the appointment of the plumbing inspector in certain cases in third class cities

## HOUSE BILL No. 620.

An Act to amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores

## HOUSE BILL No. 629.

An Act to establish a separate orphans' court in and for the county of Beaver.

## HOUSE BILL No. 691.

An Act to further amend Section 444 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the maximum appropriation which may be made for agricultural extension work.

## HOUSE BILL No. 769.

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers

and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

## HOUSE BILL No. 811.

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

## HOUSE BILL No. 1030.

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages

## HOUSE BILL No. 1039.

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises

## HOUSE BILL No. 1060.

An Act to amend the act approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol, and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by making the serv-



ing of food optional with certain licenses and changing certain requirements relating to the serving of food.

#### HOUSE BILL No. 1097.

An Act to further amend subsections (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the designation of thru highways and stop intersections in second class townships

#### HOUSE BILL No. 1100.

An Act to amend sections 464 and 471 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further defining the powers of courts on appeal

#### HOUSE BILL No. 1116.

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

#### HOUSE BILL No. 1196.

An Act to amend clause (15) of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain

license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws" by making the cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act.

#### HOUSE BILL No. 1287.

An Act to further amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further limiting the amount which may be invested in shares of other banking institutions.

#### HOUSE BILL No. 1331.

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation

#### HOUSE BILL No. 1350.

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to mobilization or demobilization of civilian manpower.

#### HOUSE BILL No. 1428.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act.



## HOUSE BILL No. 1429.

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the purchase of samples of drugs for determining their quality strength and purity' providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

## HOUSE BILL No. 1503.

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress.

## HOUSE BILL No. 1533.

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further providing for payment of the compensation of local registrars.

## HOUSE BILL No. 1546.

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors.

## HOUSE BILL No. 1553.

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly

from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by increasing the fees charged by the Pennsylvania Securities Commission.

## HOUSE BILL No. 1566.

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and and distressed school districts to levy additional taxes Superior Court" by authorizing financially handicapped with certain limitations.

## HOUSE BILL No. 1567.

An Act to amend Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

## HOUSE BILL No. 1581.

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use.

## HOUSE BILL No. 1585.

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or



any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority.

## HOUSE BILL No. 1587.

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority.

## HOUSE BILL No. 1589.

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders the powers and duties of the Department of Public Instruction granting the right of eminent domain increasing construction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority.

## HOUSE BILL No. 1607.

An Act providing for the making of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor

## HOUSE BILL No. 1640.

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board.

## HOUSE BILL No. 1648.

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election.

## HOUSE BILL No. 1660.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened.

## HOUSE BILL No. 1671.

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads.

## HOUSE BILL No. 1676.

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private



and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time.

#### HOUSE BILL No. 1680.

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

#### HOUSE BILL No. 1690.

An Act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employes' Retirement Board and Fund.

#### HOUSE BILL No. 1715.

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

#### HOUSE BILL No. 1727.

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further providing for certain minimum and maximum pensions.

With the information that the Senate has passed the same without amendment.

The SPEAKER (Herbert P. Sorg)  
IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Potter, Mr. Hall, for presiding.

#### SENATE MESSAGES

#### SENATE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE ON HOUSE BILL NO. 238

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL NO. 238.

An Act to amend Section 256 of the act approved the second day of May one thousand nine hundred twenty-

five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fish wardens to make arrests without warrants under certain circumstances.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL NO. 1102.

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL NO. 1370.

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-four hours the work week of police officers except in emergencies and fixing minimum annual vacation for police officers 14 working days.

#### AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL NO. 900.

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

Said bill having been recalled from the Governor for

the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have made inquiry regarding the status of the Journal. I find that the latest issue available for the use of the Members is for July 16th last, No. 69.

We are Mr. Speaker, approaching the end of a hectic session, we hope. I suggest to the Speaker, and I suggest to the membership of this House the impropriety of adjourning a parliamentary body of record in the absence of a record; of placing ourselves in a position where the Members of this House are in no position to correct a record which may contain notations of vital interest to them.

The question is not just one of picayune importance. It lies at the very heart and root of parliamentary government. The record is the evidence of the integrity with which the membership of this House has served the public interest, and to submit for all time a record we have had no opportunity to correct is derogatory to all proper parliamentary practice.

The SPEAKER. The Chair concurs in the statement of the gentleman from Cambria, Mr. Andrews, and wishes to inform the Members that he has used all available means to accomplish the printing of the Journals in final form and will continue to do so. The Chair appreciates the statement of the gentleman from Cambria, Mr. Andrews.

The Chair also wishes to acknowledge his misunderstanding of the information received from the Chief Clerk and previously given to the Members of the House.

### SENATE MESSAGES

#### AMENDED HOUSE BILLS RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1057.

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or opening and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1293.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include certain vehicles of the tractor type authorizing the Secretary of Revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1294.

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the operators of tractors shall be licensed under the vehicle code and further providing for the equipment of tractors.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1505.

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals



conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1544:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 3, Page 8, line 15, by striking out at the beginning of the line the word "and" and inserting in lieu thereof the word "any".

Amend Section 4, Page 12, line 4, by inserting after line 3 the words "this commonwealth within".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I understand that House Bills 1544, 1692, 1693, in fact, that all of the tax bills will be referred to a Committee of Conference. I have been wondering as to just what line of reasoning led the majority leadership to reach that conclusion. Why the motion?

I have read certain remarks made in New York concerning this particular tax package. I have been wondering whether as a result of those remarks there have been any developments concerning which the membership as a whole was not acquainted.

I have read that these bills that we are now considering were termed by a very eminent person "foul tax

offspring of compromise and expediency and an odious tax structure." I was just wondering whether this move was in any way designed to take the curse off of our laudable efforts, would you say — — — laudable efforts in this House.

Mr. JOHNSON. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Smith.

Mr. SMITH. Mr. Speaker, not being a lawyer I would not know what the gentleman meant by that lawyer's language. Therefore, I cannot answer the gentleman's question to that extent.

As we know the Senate passed our tax package last week, regardless of what it was called, and the bills are now back in the House. All of these tax bills have been returned from the Senate with amendments. We intend to refer them to a Committee of Conference for consideration of the changes made by the Senate in the tax proposals previously passed by this House. The Committee of Conference is expected to report these bills back in form and substance satisfactory to both the House and the Senate, as to those matters on which we are not in agreement today. For the purpose of permitting this procedure we are non-concurring in all the amendments made by the Senate.

I might add, too, that there has been some talk in the papers that we in the House might be vindictive and will not accept the tax package that came back. I want to assure everyone that that does not enter into our thinking in any way whatsoever. We are putting them into Conference Committees only for the reasons that I have stated.

Mr. ANDREWS. Mr. Speaker, I understand then that the purpose of sending the bills back to Conference Committees is for the reconciliation of ideas regarding purely technical changes in the bills, and has no relation to any possible change in tax policy.

Mr. SMITH. Mr. Speaker, I can assure the gentleman that he is right in that statement.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1544

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Hall, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1692.

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes

and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 2, page 5, line 10, by striking out after the word "corporation" the words "subject to the tax imposed by this act";

Amend Section 4, page 20, line 17, by inserting after the word "first" the word "three".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1692

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Hall, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1693.

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions further providing for the disposition of moneys received hereunder and changing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 6, by inserting after the word "deductions" the words "further providing for the disposition of moneys received hereunder and changing penalties."

Amend the bill by inserting after Section 1 ending with line 19 on page 3, the following

"Section 2 Sections 7 and 9 of said act are hereby amended to read as follows

Section 7 Any company violating any of the provisions of this act shall be guilty of a misdemeanor and shall

upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of [two] five hundred [(\$200)] (500) dollars and costs of prosecution or undergo imprisonment for not more than one year or suffer both such fine and imprisonment

Section 9 All taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three [Division (1)] of this act [from companies operating routes which are entirely within the limits of this Commonwealth] shall be paid into the state treasury through the Department of Revenue and credited to the general fund [and all taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three division (2) of this act from companies operating over routes when only a part of such routes lies within the Commonwealth shall be paid into the state treasury through the Department of Revenue and credited to the motor license fund]"

Amend the bill, page 5, line 7, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3"; line 8 by inserting after the word "enactment" the words "and shall apply to the excise tax imposed and payable hereunder for the calendar year one thousand nine hundred fifty-one and thereafter."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1693

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Hall, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1694.

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, section 24, page 3, line 14 by striking out after the second word "of" the words "two per



centum" and inserting in lieu thereof the words "(eight mills on the dollar) two per centum"; line 17, by striking out after the word "transacted" the word "with" and inserting in lieu thereof the word "within"; page 4, line 10, by inserting after the word "contracts" the words "and notes or other obligations received by mutual insurance companies to secure contingent premium liabilities to the extent that no assessment has been made and collected against said notes or obligations"; line 17 by inserting after the word "upon" the words "annuity consideration and".

Amend Section 2, page 5, line 3 by striking out after the figure "2" the words "This amendment shall become effective the first day of November one thousand nine hundred fifty-one" and inserting in lieu thereof the following: "This amendment shall be effective as to the tax upon gross premium deposits and assessments received during the calendar year one thousand nine hundred fifty-one and during subsequent years."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1694

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Hall, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1695.

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 5, line 6 by striking out after the part-word "tion" the words "subject to the tax imposed by this act."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1695

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Hall, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1697.

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 9, by striking out after the word "to" the word "twenty" and inserting in lieu thereof the word "fifteen".

Amend Section 1, page 3, line 18, by striking out after the word "lineal" the words "decedent to his mother and at the rate of (ten) twenty per centum upon the" and inserting in lieu thereof the words "descendant to such child his wife or widow and passing from an illegitimate child"; page 4, line 3, by striking out after the word "(ten)" the word "twenty" and inserting in lieu thereof the word "fifteen".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made

and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1697

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Hall, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1698.

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolution relating thereto and providing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, line 2, by inserting after the word "wife" the following "transfers between parent and child";

Page 3, line 3, by striking out after the word "leases" the following "excepting those leases which contain options to purchase and mineral coal and gas leases"; page 3, line 12, by striking out after the word "therefor" the word "exclusive" and insert the word "inclusive";

Amend Section 11, page 10, line 3, by striking out after the word "of" the word "December" and inserting the word "March"; page 10, line 4, by striking out after the word "hundred" the words "fifty-one" and inserting the words "fifty-two".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1698

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Hall, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills

from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1708.

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation on the board of directors of union and merged school districts.

With the information that the Senate has passed the same without amendment.

##### BILL ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1495, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts in the enforcement thereof requiring the approval of the Attorney General for prosecutions thereunder providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and right of ways the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of the costs thereof by the Commonwealth authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or continue operation of any coal mine or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board" by increasing maximum time after notice for discontinuance of discharge or treatment of sewage

On the question,

Shall the bill pass finally?

##### BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of further study and possible amendment.

The motion was agreed to.

##### BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on final passage of Senate Bill No. 230, as follows:

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws



relating thereto" by further providing for sabbatical leaves of absence

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand nine hundred sixty-six and one thousand nine hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1166 Persons Entitled (a) Any person employed in the public school system of this Commonwealth who has completed ten (10) years of satisfactory service as a teacher or in first class school districts as a member of the instructional staff or department of instruction as now defined by the local board of education professional employee or member of the supervisory instructional or administrative staff or in first class school districts as a member of the instructional staff as defined by the local board of education shall be entitled to a leave of absence for restoration of health study or travel or at the discretion of the board of school directors for other purposes At least five consecutive years of such service shall have been in the school district from which leave of absence is sought unless the board of school directors shall in its discretion allow a shorter time Such leave of absence shall be for a half or full school year or for two half school years during a period of two years at the option of such person Thereafter one leave of absence shall be allowed after each seven years of service

A sabbatical leave granted to a regular employee shall also operate as a leave of absence without pay from all other school activities

Section 1169 Salary While on Leave The person on leave of absence shall receive [the difference between] one-half of his or her regular salary [and the salary paid to any substitute employee temporarily engaged because of such leave] Provided That the employee who is absent on sabbatical leave shall not receive more than [one thousand six hundred dollars (\$1600)] two thousand five hundred dollars (\$2500) if the employee's absence on sabbatical leave is for a full school year and not more than [eight hundred dollars (\$800)] one thousand two hundred fifty dollars (\$1250) if the employee's absence on sabbatical leave is for a half school year as defined in this act [The salary paid to such substitute shall be the salary for substitute service according to the salary schedule established by the local board]

On the question recurring

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—203

Amarando,	Greer,	Mazza,	Rubin,
Andrews,	Guarnieri,	McCormack,	Sarraf,
Banker,	Gutendorf,	McCullough,	Sax,
Barkdoll,	Guthrie,	McDermitt,	Scanlon,
Baumunk,	Hagerty,	McGee,	Schmidt,
Bear,	Hall,	McInroy,	Schuster,
Beaver,	Hamilton, R. K.,	McKinney,	Scott,
Beech,	Hamilton, W. H.,	McMillen,	Seyler,
Berkstresser,	Harney,	McNally,	Shoemaker,
Bloom,	Haudenschild,	Metz,	Shotwell,
Boles,	Headlee,	Mihm,	Smith,
Bolton,	Helm,	Mikula,	Snider,
Bomberger,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelsich,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	

Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
Duffy,	Kubacki,	Pfaff,	Waterhouse,
Dunn,	Lafore,	Pichney,	Watkins,
Erb,	Lederer,	Pitzer,	Weidner,
Ewing,	Lelsey,	Polaski,	Welsh,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, R. A.,	Westrick,
Fillip,	Leven,	Price, H. W. Jr.,	Whalley,
Filo,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yester,
Gleason,	Madden,	Robertson,	Yetzer,
Good,	Madigan,	Rose,	Young,
Goodling,	Markley,	Rosen,	Ziegler,
Graybill,	McConnell,	Rovansek,	Sorg,
Greenwood,	Maxwell,	Royer,	Speaker

#### NAYS—3

Blair,	Davis,	DuBois,
--------	--------	---------

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILLS ON THIRD READING

##### BILL PASSED OVER

There being no objection

House Bill No. 506, Printer's No. 1012 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1583, as follows:

An Act to amend Section 450 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commission and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the membership of the State Board of Public Assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 450 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as added the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2003) is hereby amended to read as follows

Section 450 State Board of Public Assistance The State Board of Public Assistance shall consist of the State Treasurer the Auditor General four members of the General Assembly two from the Senate and two from the House of Representatives to be appointed in the manner hereinafter providing and seven citizens of the Commonwealth to be appointed by the Governor No [appointed] member of the board appointed by the Governor shall hold office in any political party

When this act becomes effective the Governor in the manner provided in this act shall appoint two members of the board for each of the three original term hereby created shall run until the third Tuesday of January of each year from one thousand nine hundred thirty-nine to one thousand nine hundred forty-one both inclusive and one member to serve for the original term hereby created which shall run until the third Tuesday of January one thousand nine hundred forty-two As each original or subsequent term expires the Governor in like manner shall fill each vacancy by an appointment for a term of six years After the expiration of his term a member of the board shall continue to serve until his successor shall be appointed and qualified No member of the board appointed by the Governor shall be eligible to serve consecutively for more than two terms

The members of the General Assembly shall be appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives respectively for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur The members of the board who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership

A vacancy occurring during a term of a member appointed by the Governor shall be filled by the Governor for the unexpired term

Five members of the board who are not members of the General Assembly shall constitute a quorum

The members of the board shall elect a chairman from the [appointed] members appointed by the Governor and they shall elect a secretary who need not be a member of the board

The board shall hold at least six regular meetings each year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarrafi,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenschild,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendening,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varnar,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBois,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,	Maxwell,		<b>Speaker</b>

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1731, Printer's No. 1051 and

Senate Bill No. 188, Printer's No. 619

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 482, as follows:

An Act to amend Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public



school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the law relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 771 Display of the United States Flag Development of Patriotism The board of school directors in each district shall when they are not otherwise provided purchase a United States flag flagstaff and the necessary appliance thereof and shall display said upon or near each public school building in clement weather duiring school hours and at such other times as the board may determine

All boards of school directors all proprietors or principals of private schools and all authorities in control of parochial schools or other educational institutions shall display the United States national flag not less than three feet in length within all school building under their control during each day such school are in session In all public schools the board of school directors shall make all rules and necessary regulations for the care and keeping of such flags The expense thereof shall be paid by the school district

All supervising officers and teachers in charge of public private or parochial schools shall establish and direct the conduct of appropriate daily instruction or ceremonies or in lieu thereof at least one full period per week for the purpose of affirming and developing allegiance to and respect for the Flag of the United States of America and for the promoting of a clear understanding of our American way of life with all of the unparalleled individual opportunities and our republican form of government with its responsiveness to majority decision and demans Such element shall included in the program as instruction in the fundamentals principals of our form of government an understanding of the provisions of the Constitution of the Commonwealth of Pennsylvania and the Constitution of the United States of America the values to be found in the freedom of speech of religion and of the press the values to be found in obedience to the laws of the land and the Commonwealth the importance of exercising the right of franchise the obligation of every citizen to stand ready to defend our country at all times from infiltration or aggression by those whose acts and ideologies are cantrary to our American philosophy of life

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constution the yeas and nays were taken and were as follows:

YEAS—206

Amarando.	Goodling.	Maxwell.	Royer.
Andrews.	Graybill.	Mazza.	Rubin.
Banker.	Greenwood.	McConnell.	Sarrafa.
Barkdoll.	Greer.	McCormack.	Sax.
Baumunk.	Guarnieri.	McCullough.	Scanlon.
Bear.	Gutendorf.	McDermitt.	Schmidt.
Beaver.	Guthrie.	McGee.	Schuster.
Beech.	Hagerty.	McInroy.	Scott.
Berkstresser.	Hall.	McKinney.	Seyler.
Blair.	Hamilton, R. E.	McMillen.	Shoemaker.
Bloom.	Hamilton, W. H.	McNally.	Shotwell.
Boles.	Harney.	Metz.	Smith.
Bolton.	Haudenschild.	Mihm.	Snider.
Bomberger.	Headlee.	Mikula.	Sollenberger.
Bower.	Helm.	Miller, H. G.	Spencer.

Breisch.	Hersch.	Miller, J. C.	Stank.
Breth.	Hewitt.	Mills.	Stimmel.
Brown.	Hocker.	Mintess.	Stoner.
Bucchin.	Hoggard.	Monroe.	Swartz.
Byrne.	Hunter.	Moore, C. E.	Swope.
Cella.	Jenkins.	Moore, H. A.	Tahl.
Clapper.	Johnson.	Moran.	Taylor.
Clendening.	Jones, G. E.	Muldowney.	Thompson, E. F.
Cochran.	Jones, J. M.	Munley.	Thompson, R. L.
Conway.	Jones, P. F.	Murray.	Toll.
Cooper.	Jones, T. H. W.	Musto.	Tompkins.
Corr.	Jump.	Najaka.	Toomey.
Costa.	Kamyk.	Naugle.	VanSant.
Coyle.	Keller.	Needham.	Varallo.
Dalrymple.	Kent.	Olsen.	Varnar.
Davis.	Kline.	Penglase.	Verona.
Dennison.	Kohl.	Peta.	Wachhaus.
Dougherty.	Kolankiewicz.	Petrosky.	Wargo.
Dowling.	Kornick.	Pettigrew.	Waterhouse.
Duffy.	Kratz.	Pfaff.	Watkins.
DuBois.	Kubacki.	Pichney.	Weidner.
Dunn.	Lafore.	Pitzer.	Welsh.
Erb.	Lederer.	Polaski.	Wescott.
Ewing.	Lelsey.	Polen.	Westrick.
Fenrich.	Leonard, L.	Price, H. W. Jr.	Whalley.
Ferster.	Leonard, W. C.	Price, R. A.	Wheeler.
Filip.	Leven.	Readinger.	White.
Filo.	Light.	Reagan.	Williams.
Firmstone.	Limper.	Reese.	Wilt.
Flack.	Loftus.	Reidenbach.	Wood.
Frost.	Lopresti.	Reilly, J. M.	Yeakel.
Gaffney.	Lovett.	Rigby.	Yester.
Geer.	Lutty.	Riley, R. L.	Yetzer.
Gibson.	Lyons.	Robertson.	Young.
Gleason.	Madden.	Rose.	Ziegler.
Good.	Madigan.	Rosen.	Sorg.
	Markley.	Rovansek.	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 647 as follows:

An Act to further amend Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and al other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salaries of the members of the Pennsylvania Securities Commission.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 832, as follows:

An Act to amend rule fifty-five of article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of a prop puller

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule fifty-five of article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

## Article XII

## General Rules

The following general rules shall be observed in every mine to which this act applies

Rules 55 No person or persons working in any coal mine or colliery shall cut any props or timber while the same are in position to support the roof or sides When it becomes necessary to remove any of the said props or timbers [for the purpose of mining coal that may be supported by the same to dislodge any of the said props or timbers it must be done by blasting] they shall be removed by blasting or by means of a prop puller Such prop puller however shall be designed and constructed with ropes or chains of sufficient length that the person operating the device will not be exposed to the danger of a falling roof or falling coal resulting from the removal of such props or timbers

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Brelsach,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Bucchin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cells,	Jenkins,	Moore, H. A.,	Tahl,

Clapper,	Johnson,	Moran,	Taylor,
Clendenning,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dalrymple,	Kent,	Olsen,	Varner,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBols,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fillip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Loftus,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 845, entitled:

An Act to further amend Rule 12 and to amend Rule 14 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places

On the question,

Will the House agree to the bill on third reading?

Mr. HEWITT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, 1st line of title, by striking out "and to amend Rule 14"

Amend Sec. 1 (Art. XII), page 2, line 17, by inserting a bracket before and after the word "or."

Amend Sec. 1 (Art. XII), page 3, line 8, by striking out the word "foremen" and inserting in lieu thereof "foreman."

Amend Sec. 1 (Rule 12), page 3, line 13, by inserting after the word "described" the following: The use of roof bolts, in lieu of props or timber as conventionally used, shall not be permitted by the owner, operator or superintendent of any mine unless permission, in writing, to do so is first obtained from the Secretary of Mines. The Secretary of Mines shall grant such permission after he has received the approval of a commission of three mine inspectors, one of whom shall be the inspector in



whose district the mine for which permission is sought to use roof bolts is located.

Amend Sec. 2, page 3, lines 14 to 20 both inclusive, by striking out all of said lines.

Amend Sec. 2, page 4, lines 1 to 6 both inclusive, by striking out all of said lines.

Amend Sec. 3, page 4, line 7, by striking out the figure "3" and inserting in lieu thereof "2."

Amend Sec. 4, page 4, line 9, by striking out the figure "4" and inserting in lieu thereof "3."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HALL.

The House resumed the consideration on third reading Senate Bill No. 666, entitled:

An Act to further amend clause (a) of Section 503 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other moneys or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriation from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear and determine certain petitions for refund by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. HALL. Mr. Speaker, I move that this bill be re-committed to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

### MOTION TO RECONSIDER VOTE

Mr. HAROLD G. MILLER. Mr. Speaker I move that the vote by which Senate Bill No. 708, Printer's No. 575, entitled:

An Act to further amend Section 1207 of the act approved the first day of May one thousand nine hundred twenty-one (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the disposition of fines and forfeitures."

was defeated on final passage, September 26, 1951, be reconsidered.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Blair, Mr. Miller, vote on the final passage of this bill?

Mr. HAROLD G. MILLER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Hamilton, vote on the final passage of this bill?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The SPEAKER. Has the Minority Leader a copy of the motion made by the gentleman from Blair, Mr. Miller.

Mr. ANDREWS. Mr. Speaker, I do not have. I was going to ask the gentleman to explain the import of the bill which he desires to have reconsidered, so the Members can identify it.

Mr. HAROLD G. MILLER. Mr. Speaker, this is a bill that proposes to amend the Vehicle Code so that fines and penalties for violations of the gross weight laws, the section on special hauling permits would be distributed.

On the question recurring,

Will the House agree to the motion?

The SPEAKER. The Chair is unable to decide.

Whereupon, a division was called for, forty-nine Members voting in the affirmative and sixty-seven in the negative, the question was determined in the negative and the motion was not agreed to.

### SENATE MESSAGES

#### SENATE BILL No. 668 RETURNED TO GOVERNOR WITHOUT AMENDMENT

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 10, 1951.

Resolved, (if the House of Representatives concur), That Senate Bill No. 668, Printer's No. 357, entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts," which was recalled from the Governor, September 27, 1951 be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 937.

An Act to amend Section 3 of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the service of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" by permitting regulating and requiring a license for the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 6 by inserting after the word "permitting" the words "regulating and requiring a license for".

Amend Section 1, page 2, line 14, by striking out after the word "fountains" the words "nor shall it prevent or prohibit the purchase or sale of milk in bulk to be sold for drinking purposes from automatic milk dispensing machines which have been approved by the Department of Agriculture" and inserting in lieu thereof the following:

"(b) Nothing in this act shall prevent or prohibit the purchase or sale of milk in bulk to be sold for drinking purposes from automatic milk dispensing machines which meet the following design and operation requirements

"(1) All parts of such dispensing machines with which milk or milk products come in contact shall be constructed in such manner as to be easily cleaned and shall be kept in good repair The manufacture packing transportation and handling of bulk milk containers shall be conducted in a sanitary manner

"(2) No surfaces with which milk or milk products come in contact shall while in use be accessible to manual contact

"(3) All parts of the dispensing device with which milk comes in contact shall be cleaned and sterilized at the milk plant

"(4) The dispensing device shall be filled and sealed with two seals at the milk plant in such manner as to make it impossible to withdraw any part of its contents without breaking one seal and impossible to introduce any substance without breaking the other

"(5) Sweet milk for drinking purposes served from such dispensing machines must be milk which has been homogenized

"(6) All such dispensing machines must be conspicuously

labelled in a large print easily readable to the public to indicate the type milk or milk product being served from the dispenser

"(7) All such dispensing machines must be operated in the same room where milk is served to the public

"(8) Milk served from these dispensers must be served in a glass or container no smaller than eight ounces

"(9) No person shall be permitted to purchase or sell milk in bulk to be sold for drinking purposes from automatic milk dispensing machines unless he has first obtained a license from the Department of Agriculture Such licenses can be obtained upon application to the Department of Agriculture and payment of a license fee payable at the rate of five dollars (\$5.00) for each dispensing machine covered by such license A copy of said license shall be attached at all times to each dispensing machine covered thereby

"(c) In addition to the penalties provided for in section two of this act the Department of Agriculture shall have the right to suspend or revoke the license provided for herein of any person who has violated any or all of the provisions of subsection (b) of this section"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Mr. ANDREWS. Mr. Speaker, a number of House measures to which the Senate has made amendments will be presented for concurrence on the part of the House. I have examined the amendments and the Chairman of the Majority Leader's Legal Committee, the gentleman from Berks, Mr. Readinger, has examined them and our judgment is to concur. However, if any Member of the House has any question to ask concerning the amendments to any particular bill we wish it, of course, understood that he is privileged to make inquiry.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafi,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Buechlin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Morandowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,



Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1264.

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of the first and second classes informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 14, by striking out after the word "first" the word "class" and inserting in lieu thereof the following: "and second classes";

Amend Section 1, page 4, line 6, by striking out after the word "first" the word "class" and inserting in lieu thereof the following: "and second classes";

Page 4, line 8, by striking out after the second word "such" the word "information" and inserting the word "informations";

Page 4, line 9, by striking out after the word "city" the following "(other than cities of the first class)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafa,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchn,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Lovett,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dalrymple,	Kent,	Olsen,	Varner,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Kohl,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1312.

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring

and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 5, by inserting after the word "penalties" the words "providing for a state board of funeral directors in the department of health".

Amend Section 2, page 2, line 11, by inserting after the word "mean" the words "state board of undertakers in the department of health hereby renamed"; page 2, line 13, by striking out after the word "Directors" the words "of this Commonwealth".

Amend Section 3, page 4, by inserting after line 3 the following:

"Each applicant applying during the period from the first day of September one thousand nine hundred fifty-three to the thirty-first day of August one thousand nine hundred fifty-five shall have successfully completed one year of academic work at a college or university accredited by the Department of Public Instruction and a course of actual class work in didactic and laboratory studies in a school of embalming for a period to be fixed by the Board at not less than nine hundred (900) hours nor more than twenty-four hundred (2400) hours and shall have completed one year as a resident trainee

"Each applicant applying after the thirty-first day of August one thousand nine hundred fifty-five shall have successfully completed two years of academic work at a college or university accredited by the Department of Public Instruction and a course of actual class work in didactic and laboratory studies in a school of embalming for a period to be fixed by the Board at not less than six hundred (600) hours nor more than twenty-four hundred (2400) hours and shall have completed six months as a resident trainee

"No more than an average of one hundred (100) hours of embalming or mortuary school training shall be given or required in any calendar month of any one year

"(d) Integration and coordination of all educational requirements including any academic work at a college or university or actual class work in didactic and laboratory studies in a school of embalming shall be permitted and shall be encouraged under any rules or regulations that the Board shall make";

Page 6, line 3, by striking out at the beginning of line 3, "(d)" and inserting in lieu thereof the following "(e)"; page 6, line 8, by striking out at the beginning of line 8 the following "(c)" and inserting in lieu thereof the following "(f)"; page 6, line 13, by striking out at the beginning of line 13, the following "(f)" and inserting in lieu thereof the following "(g)"; page 6, line 15, by striking out after the word "requirements" the word "twenty" and inserting in lieu thereof the word "fifteen"; page 6, line 16, by striking out after the word "experience" the word "with" and inserting in lieu thereof the words "as an apprentice to"; page 6, line 17, by striking out after the word "director" the words "and was at any time during said period registered as an apprentice" and inserting in lieu thereof the words "and such person until he shall have taken and passed the examination shall be considered a resident trainee".

Amend Section 7, page 10, line 1, by striking out after the word "practice" the words "approved by the board".

Amend Section 16, page 18, by striking out all of line 14 and 15 inclusive.

Amend Section 18, page 19, line 3, by inserting after the figure "18" the words "disposition of fees".

Amend the bill, page 19, by inserting after line 6 the following:

"Section 19 State Board of Funeral Directors There shall be a State Board of Funeral Directors as a departmental administrative board in the Department of Health The State Board of Funeral Directors shall consist of five persons who shall be licensed funeral directors of good moral character and the Secretary of Health ex officio one member shall be appointed each year for a term of five years expiring on the thirty-first day of August or until his successor is appointed and qualified vacancies shall be filled for the unexpired portion of the term only the present members of the State Board or Undertakers shall continue as members of the State Board of Funeral Directors until the expiration of their respective terms

"Three members of the Board shall constitute a quorum The Board shall select from among their number a chairman and shall elect a secretary who need not be a member of the board Each member of the board other than the Secretary of Health shall receive fifteen dollars per diem when actually engaged in the transaction of official business The Secretary of the Board shall receive such reasonable compensation as the Board may determine with the approval of the Secretary of Health".

Amend the bill, page 20, line 14, by striking out after the word "Section" the figure "19" and inserting in lieu thereof the figure "20".

Amend the bill, page 21, line 2, by striking out after the word "Section" the figure "20" and inserting in lieu thereof the figure "21".

Amend the bill, page 21, line 11, by striking out after the word "Section" the figure "21" and inserting in lieu thereof the figure "22".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando.	Graybill.	Maxwell.	Royer.
Andrews.	Greenwood.	Mazza.	Rubin.
Banker.	Greer.	McConnell.	Sarraf.
Barkdoll.	Guarnieri.	McCullough.	Sax.
Baumunk.	Gutendorf.	McCormack.	Scanlon.
Bear.	Guthrie.	McDermitt.	Schmidt.
Beaver.	Hagerty.	McGee.	Schuster.
Beech.	Hall.	McInroy.	Scott.
Berkstresser.	Hamilton, R. K.	McKinney.	Seyler.
Blair.	Hamilton, W. H.	McMillen.	Shoemaker.
Bloom.	Harney.	McNally.	Shotwell.
Boles.	Haudenshield.	Metz.	Smith.
Bolton.	Headlee.	Mihm.	Snider.
Bomberger.	Helm.	Mikula.	Sollenberger.
Bower.	Hersch.	Miller, H. G.	Spencer.
Breisch.	Hewitt.	Miller, J. C.	Stank.
Breth.	Hocker.	Mills.	Stimmel.
Brown.	Hoggard.	Mintess.	Stoner.
Bucchin.	Hunter.	Monroe.	Swartz.
Byrne.	Jenkins.	Moore, C. E.	Swope.
Cella.	Johnson.	Moore, H. A.	Tahl.
Clapper.	Jones, G. E.	Moran.	Taylor.
Clendening.	Jones, J. M.	Muldowney.	Thompson, E. F.
Cochran.	Jones, P. F.	Munley.	Thompson, R. L.
Conway.	Jones, T. H. W.	Murray.	Toll.
Cooper.	Jump.	Musto.	Tompkins.
Corr.	Kamyk.	Najaka.	Toomey.
Costa.	Keller.	Naugle.	VanSant.
Coyle.	Kent.	Needham.	Varallo.
Dairymple.	Kline.	Olsen.	Varnier.
Davis.	Kohl.	Penglase.	Verona.
Dennison.	Kolankiewicz.	Peta.	Wachhaus.
Dougherty.	Kornick.	Petrosky.	Wargo.
Dowling.	Kratz.	Pettigrew.	Waterhouse.
DuBois.	Kubacki.	Pfaff.	Watkins.
Duffy.	Lafore.	Pichney.	Weldner.
Dunn.	Lederer.	Pitzer.	Welsh.
Erb.	Leisey.	Polaski.	Wescott.
Ewing.	Leonard, L.	Polen.	Westrick.



Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lafore,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
Goodling,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1518.

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, section 1, page 3, line 5, by striking out after "cised" the following "for a period of two years from the date of filing" and inserting in lieu thereof: "during the period of two years immediately after the date when".

Page 3, line 8, by inserting after "(shall amount)" the word: "amounts".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. E.,	McMillen,	Seyler,
Blair,	Hamilton, W. E.,	McNally,	Shotwell,
Bloom,	Harney,	Metz,	Shoemaker,
Boles,	Haudenshield,	Mihm,	Snider,
Bolton,	Headlee,	Mikula,	Sollenberger,
Bombberger,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buechin,	Hunter,	Moore, C. E.,	

Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varner,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBois,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker
Goodling,	Maxwell,		

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1644.

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 2, by inserting after the word "in" the following: "or participation in the revolutionary activities of";

Amend Section 1, page 2, line 12, by striking out after the word "name" the words "committed to the" and inserting the following: "whose object or purpose is to"; page 2, line 13, by striking out after the word "overthrow" the words "of Federal and State governments" and inserting in lieu thereof the following: "the Federal or State Government"; page 3, line 1, by striking out after the word "revolutionary" the word "purposes" and inserting the word "purpose"; page 3, line 4, by striking out after the word "named" the following: "committed to the overthrow of" and inserting in lieu thereof the following: "whose object or purpose is to overthrow"; page 3, line 6, by striking out after the word "Federal" the words "and State Governments" and inserting the words "or State Government"; page 3, line 7, by inserting after the word "violence" the following: "knowing the

revolutionary object or purpose thereof or"; page 3, line 9, by inserting after the word "the" the word "revolutionary"; page 3, line 11, by striking out after the word "revolutionary" the word "purposes" and insert the word "purpose"; page 3, line 11, by striking out after the second word "revolutionary" the word "purposes" and inserting the word "object or purpose"; page 3, line 12, by striking out after the word "thereof" the following: "or whoever knowingly conspires aids or abets any person or organization whose activitise further the purpose of the Communist Party or any other revolutionary organization to bring about a revolution by force and violence within the Commonwealth"; page 3, line 18, by striking out after the word "both" the following: "Any and all personal real property or funds employed in the advancement of the Comumnist revolutionary movement by force and violence in Pennsylvania by any such Communist or other revolutionary organization is hereby declared to be contraband and forfeit to the Commonwealth of Pennsylvania".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ANDREWS. Mr. Speaker, this is the celebrated Musmanno bill. The distinguished Judge, in his moment of victory, issued a statement in which he said that "this measure would ring down the curfew on Communism in the state of Pennsylvania."

I have heard of ringing down the curtain, I have heard of ringing down a lot of things, but I never heard before of ringing down a curfew, and I want to say that if it is possible to ring down a curfew our mike can do it.

There is to be no Communist party because we are going to concur in this measure; it is not going to fall in Conference Committee. There is going to be no Communist party. There will be just as many communists floating around as there were before 642 became the law of the land.

What is going to become of them? Well, I think in my County the doggoned rascals are going to do this: I think there are about seven of them that could be rounded up, that have a possible radical history. Do you know what they are going to do, Mr. Speaker? I think they are going to preempt the name and organize the Musmanno party. You know that will be perfectly legal, and I think the idea will spread and we will have a Musmanno party manned by communists in every County in the state.

And, of course, our judicial giant will say he does not have anything to do with that party and the people will reply, "Well, he is just saying that because of his well-known modesty." Of course, ultimately the Musmanno party because of sadistic and communistic practices is outlawed, it will be perfectly possible and legal for them to organize a Fine party or a Duff party or a Lincoln party, and finally, Mr. Speaker, driven from pillar to post they will have to seek refuge somewhere, a spattered, bedraggled horde and there will not be anything left for them to do except to register as Republicans.

Mr. TOMPKINS. Mr. Speaker, it is unfortunate that the member who just spoke attempted to bring personalities into an issue.

This bill, however, not only outlaws the Communist party, but any other party whether it be by name, the Musmanno, Fine, Duff or Andrews party, that advocates the overthrow of the government by force or violence, and I can assure the gentleman that if they come to the

Republican party, we will do our best to give them passports back to the country which they love so well.

Mr. ANDREWS. Mr. Speaker, I would suggest to the distinguished jurist and lawyer from Cameron that, being driven out of the Communist party for advocating force and violence, when they align themselves with the Musmanno party or the Tompkins or any other party, they will preach only those things publicly that are beautiful and lovely and it will be awfully hard even for such a distinguished scholar of the law as the gentleman from Cameron, to catch them in the act.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boies,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelsch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kilne,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovanssek,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.



The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL NO. 862.

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well as private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

Amend Section 1, page 2, line 11, by striking out after the second word "and" the following "shall be empowered to make arrests in connection with the performance of their duties" and inserting in lieu thereof the following: "who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all of the powers of local police officers"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGES

##### AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

#### SENATE BILL No. 796.

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concur in by the Senate to Senate Bill No. 796.

Ordered, That the Clerk inform the Senate accordingly

#### RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 10, 1951.

The Honorable Ray F. Smock served the Commonwealth as its Secretary of Highways from March 21, 1946, until his death, November 20, 1951. His administration of the tremendous task of construction and maintenance of Pennsylvania's vast and intricate system of State highways merits the highest commendation and lasting recognition; therefore, be it

Resolved (if the House of Representatives concur) That the portion of State highway from Conneaut Lake to Meadville, in Crawford County, known as U. S. Route No. 322, including the overhead bridge and viaduct lead-

ing into the City of Meadville, be designated as the Ray F. Smock Memorial Highway and Bridge; and be it further Resolved, That the Department of Highways shall erect along said highway and bridge suitable tablets or markers to perpetuate this resolution.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL NO. 333.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of minimum salaries and increments of county and district superintendents assistant county and district superintendents teachers supervisors principals supervising principals and other employees

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 3, by inserting after the figures in brackets "(\$6500) the words and figures "nine thousand dollars (\$9000)."

Amend Section 3, page 9, line 14, by striking out at the beginning of the line the word "increments" and inserting in lieu thereof the word "increment;" lines 17 and 18, by striking out at the end of line 17 and the beginning of line 18 the word "incre-ments" and inserting in lieu thereof the word "increment."

Amend page 14, line 3, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "6."

On the question,

Will the House concur in the amendments made by the Senate?

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. HELM. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 334.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system in-

cluding certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursement by the Commonwealth to school districts and vocational school districts

With the information that the Senate has passed the same without amendment.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. HELM. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 959.

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers distributors and importing distributors.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 10 by inserting after the word "licenses" the words "and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers distributors and importing distributors."

Amend Section 1, page 3, line 16, by striking out the brackets before and after the word "shall" and by striking out the words "may in its discretion;" page 5, line 11, by inserting after the word "application" the following "provided that stock inherited by an individual nonresident from a deceased resident owner thereof and stock held by an individual or corporate trustee for the benefit of any individual who is a beneficiary of a trust which is valid under the laws of this Commonwealth shall for the purposes of this subsection be considered as being owned by a resident of the Commonwealth of Pennsylvania so long as it is actually owned by such individual nonresident inheritor or held by such trustee;" page 6 striking out all of lines 3 to 12 inclusive as follows:

Before a distributor's or importing distributor's license is issued or renewed the board shall be satisfied that the

applicant has proper and adequate facilities to keep and store malt or brewed beverages and deliver such malt or brewed beverages to retail licensees and consumers

The board shall not issue new distributor's or importing distributor's licenses in any license district more than twice each license year effective from specific dates by the board and new distributor's or importing distributor's licenses shall not be granted unless the application therefore is filed at least thirty days before the date fixed for granting new licenses

On the question,

Will the House concur in the amendments made by the Senate?

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

#### SENATE MESSAGES

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1047.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 7, by striking out after the word "salesmen" the words "authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto"; page 2, line 4, by striking out after the word "licenses" the word "prohibiting" and inserting in lieu thereof the word "regulating."

Amend the bill by striking out all of Section 3, page 8, lines 8 to 20 inclusive; page 9, lines 1 to 18 inclusive and page 10, lines 1, 2 and 3.

Amend the bill, page 10, line 4, by striking out after the word "section" the figure "4" and inserting in lieu thereof the figure "3."

Amend the bill, page 15, line 16, by striking out after the word "section" the figure "5" and inserting in lieu thereof the figure "4."

Amend the bill, page 16, line 5, by striking out after the word "salesman" the words "nor shall the name of a real estate salesman be registered as an owner or interested person under the provisions of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) known as the "Fictitious Names



Act" and inserting in lieu thereof the words "unless there shall also be included in the name of such corporation or copartnership the name of a licensed real estate broker."

Amend the bill, page 16, line 12, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "5."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafa,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnier,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1085.

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquor alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania liquor stores and the granting of malt and brewed beverage distributors licenses subject to local option and providing where tie vote occurs on local option question the status quo obtains.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Page 6, line 5, by inserting after the word "election" the following and provided further that an election on the question of establishing and operating a state liquor store shall be initiated only in those municipalities that shall have voted against the granting of liquor licenses and that an election on the question of granting wholesale distributor licenses shall be initiated only in those municipalities that shall have at a previous election voted against the grating of dispenser's licenses

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafa,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hocker,	Miller, H. G.,	Spencer,
Breisch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,

Costa,  
Coyle,  
Dalrymple,  
Davis,  
Dennison,  
Dougherty,  
Dowling,  
DuBois,  
Duffy,  
Dunn,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Keller,  
Kent,  
Kline,  
Kohl,  
Kolankiewicz,  
Kornick,  
Kratz,  
Kubacki,  
Lafore,  
Lederer,  
Leisey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Naugle,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readlager,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanssek,

VanSant,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Welsh,  
Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1641.

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by striking out after the second word "and" the following: "shall be empowered to make arrests in connection with the performance of their duties" and inserting in lieu thereof the following: "who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all the power of local police officers."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 655

The Clerk of the Senate being introduced, informed that

the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 655 entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessments for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court.

And has appointed Messrs. Stevenson, Mallery and Lane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

#### SENATE MESSAGE

#### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 789

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 789 entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive



and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution

And has appointed Messrs. Mallery, Mahany and Leader a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

#### ADJOURNMENT

Mr. KRATZ. Mr. Speaker, as a further mark of respect to the memory of the Honorable Howard F. Boorse, I move that this House do now adjourn until Tuesday, December 11, 1951 at 11:00 a. m.

The motion was unanimously agreed to by a rising vote, and (at 7:26 p. m.) the House adjourned.





# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, DECEMBER 11, 1951.

No. 100.

## SENATE

TUESDAY, December 11, 1951.

The Senate met at 4 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. Robert H. Stephens, D. D., Pastor of the Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray.

O God Eternal, how solemn and wonderful it is to live under Thy constant eye, moving toward a vast eternity. In the stillness of the night Thou keepest watch over us; if we arise early Thou art awake, waiting to bless our morning prayer. In the middle of the day Thou art the Silent Watcher, the Ever Present Helper, as we struggle with life's problems and face its tasks. Thou hast set eternity in our hearts. Help us to work in these swiftly passing days as those made for a greater destiny, through Jesus Christ our Lord. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. HARE, further reading was dispensed with, and the Journal was approved.

### STUDENTS OF PENNSYLVANIA STATE COLLEGE PRESENTED TO SENATE

Mr. LETZLER. Mr. President and Members of the Senate, I have a group of visitors in the gallery that I am happy to present to the Members of the Senate this afternoon. It consists of a class of sixteen members in Advanced Reporting, from the Department of Journalism at Pennsylvania State College, under the leadership of Professor Frederick B. Marbut, Professor of Journalism.

Mr. President, it is a pleasure for me to present this group of young reporters to the Senate and to the visitors here this afternoon.

The PRESIDENT. Will the guests of Senator Letzler please rise in place and take a bow?

### BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that

the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 644, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for distribution of copies of audits made by the Department of Auditor General.

Senate Bill No. 675, entitled:

An Act to further amend the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county offices" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2786) by increasing the maximum amount of fees that certain county officers may retain before being required to pay over half the excess to the county treasurer.

Senate Bill No. 759, entitled:

An Act to promote the uniform development of Allegheny County; creating the Metropolitan Study Commission of Allegheny County; defining its powers and duties; conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions.

Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right, title and interest of the Commonwealth in certain streets, lanes and alleys situate within such cities.

Senate Bill No. 818, entitled:

To further amend Section 3062 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising consolidating, and changing the law relating thereto," by further regulating publication of notice of land subdivision ordinances.

Senate Bill No. 833, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township, Blair County, Pennsylvania with the approval of the Governor.

House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 748), entitled, as amended, "The Pennsylvania Securities Act," as previously reenacted and amended, by increasing the fees charged by the Pennsylvania Securities Commission.

House Bill No. 1644, entitled:

An Act declaring the Communist Party illegal; making membership in the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

## HOUSE MESSAGES

### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1544

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealer-users and wholesalers to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to file reports and to compile and retain certain records; requiring registration of vehicles, dealers, and carriers for hire; imposing duties on such persons; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees and providing penalties.

### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1544

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1544.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1692

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "Corporate Net Income Tax Act" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1692

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1692.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1693

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1693

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1693.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1694

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1694, entitled:



An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

**SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1694**

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1694.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 1695**

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "Corporation Income Tax Law" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

**SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1695**

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1695.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 1697**

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law" by increasing the rate of tax in certain instances from ten percentum to twenty per centum.

**SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1697**

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1697.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 1698**

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

**SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1698**

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1698.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

**RECESS**

Mr. ROSENFELD. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of holding a Democratic Caucus.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

**AFTER RECESS**

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

**SENATE BILL No. 897 CALLED UP FROM FIRST  
READING CALENDAR**

Mr. WALKER. Mr. President, I ask unanimous consent to call up from the First Reading Calendar Senate Bill No. 897 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

**BILL ON FIRST READING**

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 897, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employes from the civil service provisions of the Philadelphia Home Rule Charter imposing additional duties upon the Gov-

ernor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasury shall be determined and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 897, the bill just read, be recommitted to the Committee on Local Government, for the purpose of a public hearing.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

### PUBLIC HEARING ON SENATE BILL No. 897

Mr. STEVENSON. Mr. President, there will be a meeting of the Local Government Committee in the Senate Caucus Room at 10:00 a. m. tomorrow, Wednesday, for the purpose of having a public hearing on this charter bill, Senate Bill No. 897.

### PERMISSION TO ADDRESS SENATE

Mr. ROSENFELD ask and obtained unanimous consent to address the Senate.

Mr. ROSENFELD. Mr. President, I would like to state for the benefit of the Members of the Senate that there has been some confusion with regard to this hearing on the so-called Kephart Bill, and on Tuesday afternoon at 5:45, the announcement is made that there will be such a hearing tomorrow morning. Now, I know it is going to be rather difficult to inform all of the people who have signified their interest in what this measure proposes to do to get here at that time. I personally will do my best to get as many people here as possible, but I want it understood that I do not want, if this bill ever reaches the House and a clamor arises for a public hearing, to have it suggested that there was one already which took place in the Senate, and, therefore, another one is not needed.

Mr. President, I merely want to make that clear. We will do our best to get as many interested people here tomorrow as possible, but it may be very difficult to get a very representative group of people here at that time. However, we will do our best.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

### MEMBERS OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 11, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Lycoming County Board of Assistance:

Mrs. Mary S. Sharpless (Republican), 660 Harding Avenue, Williamsport, Lycoming County, to serve until December 31, 1952, and until her successor is duly appointed and qualified, vice Mrs. Grace M. Soars, Muncy, resigned.

Dr. Irvin T. Gilmore (Democrat), 95 South Main Street, Hughesville, Lycoming County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Reverend J. Ray Houser; Williamsport, whose term expired.

Earl H. Morris (Republican), 2729 Newberry Street, Williamsport, Lycoming County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Dr. John E. Whittaker, Williamsport, whose term expired.

Preston H. Smith (Republican), 404 Main Street, South Williamsport, Williamsport, Lycoming County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry William Briggs, Sr., 347 Terrace Boulevard, Lewistown, Mifflin County, for appointment as Justice of the Peace in and for the Township of Granville, Mifflin County, until the first Monday of January 1952, vice Edward M. Davis, resigned.

JOHN S. FINE.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 10, 1951.

Mr. WATKINS. Mr. President, I second the motion.  
The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Robert C. Conti, Pittsburgh, 6124 Center Ave.  
James M. Hall, McKees Rocks.



Mrs. Josephine S. Hoffstot, Pittsburgh, 3035 Brighton Rd.  
Mrs. Adeline B. McClaran, Pittsburgh, 201 County Office Bldg.

Mrs. Hermina M. Schneider, McKees Rock.  
William J. Sirocky, Coraopolis.  
Andrew Jack Ungle, Harmar Twp., Harmarville.  
Kenneth M. Winterbottom, Pittsburgh, 1117 Wolfendale St.

#### BEAVER COUNTY

William J. Thomas, Beaver.  
Karl J. Urda, Ambridge.

#### BUTLER COUNTY

Miss Ruth K. Brookhart, Butler.

#### CHESTER COUNTY

Mrs. Betty Lou Casson, Tredyffrin Twp., Paoli.  
Miss Jeanne C. Manion, West Chester.

#### CLARION COUNTY

A. J. Harnack, East Brady.

#### CLEARFIELD COUNTY

Mrs. Dorothy Tate Borchert, Clearfield.

#### CUMBERLAND COUNTY

Harry L. Wittle, East Pennsboro Twp., Enola.

#### DAUPHIN COUNTY

Miss Doris M. Broadley, Harrisburg.  
Harry J. Menear, Hummelstown.

#### ERIE COUNTY

Mrs. Jean D. Baldwin, Erie.

#### LACKAWANNA COUNTY

Frank E. Bosh, Vandling.  
D. P. Brauer, Archbald

#### LAWRENCE COUNTY

B. R. Gumienny, New Castle.

#### LEHIGH COUNTY

Miss Marion E. Bartholomew, Allentown.

#### LUZERNE COUNTY

Frank Mayewski, Nanticoke.

#### MERCER COUNTY

John L. Slager, Sharon.

#### MONTGOMERY COUNTY

Mrs. Margaret Applegarth, Narberth.  
Miss M. Louise Funk, Upper Dublin Twp., Fort Washington.

#### NORTHAMPTON COUNTY

Miss Doris Ann Kneebone, Bangor.

#### NORTHUMBERLAND COUNTY

Eugene G. Mirarchi, Kulpmont.

#### PHILADELPHIA COUNTY

Miss Antoinette Amendola, 2236 S. 19th St.  
Francis Bradley, 900 N. 15th St.  
Miss Florence Henry, 6610 N. Broad St.  
Peter Mele, 233 S. 53rd St.

#### SCHUYLKILL COUNTY

Bruce W. Klinger, Pottsville.

#### WESTMORELAND COUNTY

John E. Matevish, Penn Twp., Irwin.

#### YORK COUNTY

Miss Elli Steinke, York.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson.
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### HOUSE MESSAGES

##### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 937

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 937, entitled:

An Act to amend Section 3 of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (P. L. 83), entitled "An act for the protection of public health patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalties," by permitting the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

##### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 959

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 959, entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "Beverage License Law," by further regulating and limiting the issuance of distributors' and importing distributors' licenses and further regulating sales by licensees.

##### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1047

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto, further regulating licensing and the suspension and revocation of such licenses; prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1085

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1085, entitled:

An Act to amend Section 432 and Section 472 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. , Act No. 21), entitled "Liquor Code," by providing that no wholesale distributor's license shall be granted in any municipality where the electors have voted against licensing places for the sale of malt or brewed beverages; bringing wholesale distributors within local option provisions now applicable to retail dispensers and providing where tie vote occurs on local option question, the status quo obtains.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1264

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing that in cities of the first class informations, charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1312

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1312, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties; and repealing other laws.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1518

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 1518, entitled:

An Act to amend Section 2001 of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by changing the provisions relating to protests by property owners to the exercise of zoning powers.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1644

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1644, entitled:

An Act declaring the Communist Party illegal; making membership in the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

#### HOUSE CONCURS IN SENATE RESOLUTION RETURN- ING TO THE GOVERNOR SENATE BILL No. 668

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 10, 1951.

Resolved, (if the House of Representatives concur) That Senate Bill No. 668, Printer's No. 357, entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts," which was recalled from the Governor, September 27, 1951 be returned to the Governor without amendment.

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

#### RAY F. SMOCK MEMORIAL HIGHWAY AND BRIDGE

In the Senate, December 10, 1951.

The Honorable Ray F. Smock served the Commonwealth as its Secretary of Highways from March 21, 1946, until his death, November 20 1951. His administration of the tremendous task of construction and maintenance of Pennsylvania's vast and intricate system of State highways merits the highest commendation and lasting recognition; therefore, be it

Resolved (if the House of Representatives concur) That the portion of State highway from Conneaut Lake to Meadville, in Crawford County, known as U. S. Route No. 322, including the overhead bridge and viaduct leading into the City of Meadville be designated as the Ray F. Smock Memorial Highway and Bridge; and be it further

Resolved, That the department of Highways shall erect along said highway and bridge suitable tablets or markers to perpetuate this resolution.

#### SENATE BILL NO. 230 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 230, entitled:

An Act to amend section one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating



thereto" by further providing for sabbatical leaves of absence for professional employes.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on The Calendar.

#### SENATE BILL NO. 845 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 845, entitled:

An Act to further amend Rule 12, and to amend Rule 14 or Article XII of the act approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by authorizing the use of roof bolts and other practical devices in working places.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on The Calendar.

#### HOUSE CONCURS IN SENATE BILL NO. 482

He also returned to the Senate, Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to the private and parochial schools; amending, revising consolidating and changing the laws relating thereto," by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 832

He also returned to the Senate, Senate Bill No. 832, entitled:

An Act to amend rule fifty-five of article XII of the act approved the second day of June, one thousand eight hundred ninety-one, (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of a prop puller.

with the information that the House has passed the same without amendments.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1544 AND APPOINT COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax

on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealer-users and wholesalers to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to file reports and to compile and retain certain records requiring registration of vehicles dealers, and carriers for hire; imposing duties on such persons; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees and providing penalties.

and has appointed Messrs. HALL, JOHNSON and READINGER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1544 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1544, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, HARE and RUTH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1544.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1692 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1692 entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "Corporate Net Income Tax Act" by further defining net income, changing the due date of certain payments requiring additional reports and extending the provisions of this act for a further limited period of time.

and has appointed Messrs. HALL, JOHNSON, and READINGER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1692 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate

do insist upon its amendments to House Bill No. 1692, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, HARE and RUTH, as a committee of Conference on the part of the Senate to confer with a similar Committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1692.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1693 AND APPOINTS COMMITTEE OF CONFERENCE

He also inform the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an exise on the use of the public highways by certain operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

and has appointed Messrs. HALL, JOHNSON and READINGER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1693 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1693, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, HARE and RUTH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1693.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1694 AND APPOINTS COMMITTEE OF CONFERENCE

He also inform the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight

hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

and has appointed Messrs. HALL, JOHNSON and READINGER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1694 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1694, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, HARE and RUTH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1694.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1695 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "Corporation Income Tax Law" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

and has appointed Messrs. HALL, JOHNSON and READINGER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1695 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1695, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.



The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, HARE and RUTH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1695.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1697 AND APPOINTS COMMITTEE OF CONFERENCE**

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law" by increasing the rate of tax in certain instances from ten per centum to twenty per centum.

and has appointed Messrs. HALL, JOHNSON and READ-INGER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1697 AND APPOINTS COMMITTEE OF CONFERENCE**

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1697, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, HARE and RUTH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1697.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1698 AND APPOINTS COMMITTEE OF CONFERENCE**

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

and has appointed Messrs. HALL, JOHNSON and READ-INGER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1698 AND APPOINTS COMMITTEE OF CONFERENCE**

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1698, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, HARE and RUTH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1698.

Ordered, That the Clerk inform the House of Representatives accordingly.

**HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL NO. 796**

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption; prescribing penalties; and authorizing the courts of common pleas to enjoin violations.

**SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 796**

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 796, and that a Committee of Conference on the part of the Senate be appointed.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

**COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL NO. 796**

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, BERGER and DiSILVESTRO, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 796.

Ordered, That the Clerk inform the House of Representatives accordingly.

# HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 862

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

# SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 862

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 862.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

# HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 1641

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

# SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1641

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1641.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

# HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1583, entitled:

An Act to amend Section 450 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by increasing the membership of the State Board of Public Assistance.

Which was committed to the Committee on State Government.

# REPORTS FROM COMMITTEES

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 478, entitled:

An Act to amend Article X of the Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the appointment of supervisors of public school nurses their qualifications duties salary expenses and making appropriations therefor to the Department of Public Instruction.

Mr. MEADE, from the Committee on State Government, reported as committed, Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

# SENATE BILL No. 917 CALLED UP FROM THIRD READING CALENDAR

Mr. WALKER. Mr. President, I ask unanimous consent to call up from the Third Reading Calendar Senate Bill No. 917 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

# BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 917, as follows:

An Act to amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects and increasing the borrowing capacity of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the Welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign



convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" is hereby amended to read as follows

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing improving equipping furnishing maintaining acquiring and operating sewers sewer systems and sewage treatment works for State Institutions of every kinds and character (heretofore or hereafter constructed) public buildings for the use of the Commonwealth an official residence in the City of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth State arsenals armories and military reserves State airports and landing fields State institutions of every kind and character (heretofore or hereafter constructed) additions and improvements to land grant colleges school buildings and the furnishings and equipment thereof for the use of the public schools State highways and bridges toll bridges tunnels and traffic circles on State highways swimming pools and lakes on State land low head dams improvements to river embankments desilting dams impounding basins flood control projects (any and all the foregoing being herein called 'projects') Providing however That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted hereby (other than for the construction improvement and maintenance of bridges) shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

- (a) To have perpetual existence as a corporation
- (b) To sue and be sued implead and be impleaded complain and defend in all courts
- (c) To adopt use and alter at will a corporate seal
- (d) To acquire purchase hold and use any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease as lessee with the approval of the Governor any property real personal or mixed or any interest therein for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania and any city county school district or other political subdivision or any agency department or public body of the Commonwealth or land grant college any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority
- (e) To acquire by purchase lease or otherwise and to construct improve equip furnish maintain repair and operate projects
- (f) To make by-laws for the management and regulation of its affairs
- (g) To appoint officers agents employees and servants to prescribe their duties and to fix their compensation
- (h) To fix alter charge and collect rates rentals and other charges for the use of the facilities of or for the

services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair equipping furnishing maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called 'bonds') of the Authority not exceeding [one hundred seventy-five million dollars (\$175,000,000)] two hundred thirty-five million dollars (\$235,000,000) in the aggregate and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

(o) To enter into agreements with the Secretary of Highways of the Commonwealth of Pennsylvania providing for the construction or reconstruction of highways and bridges by the Authority and the acquisition of toll bridges by the Authority under such terms and conditions as may be mutually agreed upon

(p) To acquire by assignment from the Commonwealth contracts which are not completed and which involve constructing improving equipping furnishing maintaining and operating the structure facilities or undertakings similar to those designated herein as projects

Except as otherwise provided by law when projects are to be constructed improved equipped furnished maintained repaired or operated for the use of any department of the Commonwealth as hereinbefore listed in this section no plans or specifications therefor shall be presented for quotations or bids until such plans and specifications shall have been submitted to and approved by the department of the Commonwealth which shall use such project the Department of Property and Supplies the Department of Labor and Industry and any other department of the Commonwealth having any jurisdiction over the projects so that the project will conform to standards established by these departments

Provided further That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its cities counties school districts or other political subdivisions nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its cities counties school districts or political subdivisions nor shall the Commonwealth or any city county school district or political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 2 Twenty-five million dollars (\$25,000,000) of the increase herein authorized shall be used solely for flood control projects

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—44

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Lane,	Pechan,	Wade,
Byrne,	Leader,	Peelor,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Dent,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Silvert,	Wolfe,
Freed,	McGinnis,	Snowden,	Wood,
Haluska,	McMenamin,	Stevenson,	Yosko,

## NAYS—4

Blass,	Fleming,	Kessler,	Proper,
--------	----------	----------	---------

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS INTRODUCED AND REFERRED

Mr. HARE read in his place and presented to the Chair Senate Bill No. 924, entitled:

An Act to amend Section 247 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the appointment by the Governor of district attorneys in counties of the fourth class when a vacancy occurs.

Which was committed to the Committee on Local Government.

Messrs. CROWE and WOLFE read in place and presented to the Chair Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same; and providing for issuance by county treasurers only.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 926, entitled:

An Act making an appropriation to the Borough of State College for fire protection for the buildings of Pennsylvania State College.

Which was committed to the Committee on Appropriations.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 927, entitled:

An Act relating to and regulating the contracts of incorporated towns; and providing penalties.

Which was committed to the Committee on Local Government.

## PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, I am about to introduce a bill which would increase the salaries of the members of the State Police. I have sponsored other such bills aimed at bettering the salaries and conditions under which the State Police work. Unfortunately, some of them have not had a great deal of success in this Session of the Legislature, but I am still hopeful that some of them will move.

Now, Mr. President, I think all Pennsylvanians will agree that one of the institutions of which we can be most proud is the Pennsylvania State Police Force. This organization is known throughout the United States as one of the best, if not the best, groups of its kind. Anyone who has read the newspapers in this Country in the past year or eighteen months knows that an underpaid police force can be worse sometimes than no police force at all.

Mr. President, one thing that we have to do in order to keep the State Police at the high level at which it has been maintained for years gone by, and at the level which has made it the organization of which we are all so proud, is to increase their salaries, their pensions, the per diem rate for service while they are away from their home base and that sort of thing. It is a fact that some men are, after twenty or twenty-five years of service, still privates and as we know their pensions are based upon their last year of salary. So, at this time, on behalf of Senator Dent, Senator Lane and myself, I am introducing this bill which would provide a flat increase in salaries for the State Police.

## BILLS INTRODUCED AND REFERRED

Messrs. McMENAMIN, DENT and LANE read in place and presented to the Chair Senate Bill No. 928, entitled:

An Act to further amend Section 205 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by fixing the compensation of members of the State Police Force.

Which was committed to the Committee on State Government.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 929, entitled:

An Act to repeal the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1531), entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office; invalidating building ordinances heretofore adopted unless



copies thereof are filed within a certain time; and imposing duties and conferring powers on recorders of deeds."

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 930, entitled:

An Act to repeal the act, approved the fourteenth day of May, one thousand nine hundred forty-nine (P. L. 1340), entitled "An act requiring political subdivisions to file copies of zoning ordinances, together with maps or plans indicating the area of zones of the political subdivision affected by such ordinances, in the recorder's office; invalidating zoning ordinances heretofore adopted unless copies thereof, together with maps, are filed within a certain time; and imposing duties and conferring powers on recorders of deeds."

Which was committed to the Committee on Local Government.

### PETITIONS AND REMONSTRANCES

Mr. PECHAN. Mr. President, Senate Bill No. 27, known as the Loyalty Oath Bill, passed the Senate on March 28, and since that time I have not made one utterance about this bill. As you know, it has probably been the most publicized and the most controversial bill in this Session. So, I want to make a statement for the record.

Mr. President, although the Loyalty Oath Bill, of which I am the sponsor, has been discussed for many months in the newspapers, in lecture halls, on the radio, in universities and schools, I have not yet made any utterance on the subject here on the floor of the Senate. I have purposely refrained from speaking on the bill as I did not want, by any remarks of mine, to stifle or limit the maximum of comment or even criticism that might honestly arise from an open, free and aboveboard discussion of the proposed bill.

Lately, however, I have seen newspaper items and I have heard of incidents which show that there are many lies and distortions being circulated about the bill. There are many half-truths in circulation which do more than outright lies, but what disturbs me most is what is happening in some of our institutions of learning. Now, I do not mean to say that teachers and professors generally are opposed to the Loyalty Oath Bill, and I certainly would not want anyone to believe that I assume that university students en masse are opposed to this very necessary legislation, but I cannot let go unnoticed an incident which occurred at Temple University last Wednesday, and about which, Mr. President, you may have read in the Philadelphia Evening Bulletin and the Philadelphia Daily News on December 7, 1951.

Mr. President, I was invited on last Tuesday to address a group of students at Temple University and at the University of Pennsylvania I was unable to attend, but I happened to see Judge Musmanno in the Senate Chamber and I asked him if he would go to those conferences in my stead, and he agreed to do so.

Mr. President, I have a letter here from Judge Musmanno. It states:

"Dear Senator Pechan:

"Last week when I saw you in the Senate chamber you told me that you could not go to Philadelphia to

participate in the debate scheduled at the Temple University and at the University of Pennsylvania, and you asked if I would take your place to uphold the merits of the Pechan Bill which was to be the subject of the debate.

"I promised I would take your place and I am sure that you are interested in knowing what happened.

"My opponent at both universities was Professor Byse. About 350 students were in the audience at the Temple University and some 400 students at the University of Pennsylvania. As it turned out, I debated not with one person but 351 at the Temple University and about 401 at the University of Pennsylvania.

"I did not mind this at all and in fact I am glad I had the opportunity to clarify certain features of the bill which very obviously has been misrepresented. The misrepresentations and distortions that have been circulated on this bill are appalling, and the amount of ignorance that still beclouds the issue is disconcerting.

"But what disconcerted me most of all was an incident which I believe you should know about. During the course of the debate at the Temple University I noted in the audience a young man wearing the uniform of the R.O.T.C. Some of the reactions of the audience I thought were rather disrespectful to the uniform of the United States, and so I said: 'Your attitude is not very respectful to the uniform of the United States being worn by one of your student body here. And although I do not know this lad I wish to express my regret that he is being subjected to remarks which must be embarrassing to him.'

"At the end of the debate the students asked questions. The R.O.T.C. lad stood up and addressed me. He said: 'You referred to me in your speech and I want you to know that I am opposed to the loyalty oath.'

"I replied: 'But, young man, you have already taken an oath of loyalty to the government, haven't you?'

"And then the following colloquy occurred:

"R.O.T.C. STUDENT: I do not need to be loyal to the government of the United States or to the government of the Commonwealth of Pennsylvania, if I am loyal to the people.

"MUSMANNO: I am amazed at your statement—

"R.O.T.C. STUDENT: Loyalty isn't limited to our own government. There may be a number of nations to which I should like to show loyalty.

"MUSMANNO: Do I understand you to say you are not loyal to the government of the United States?

"R.O.T.C. STUDENT: I would not be loyal to the government if I should think it is wrong. My loyalty is to the people.

"MUSMANNO: But the government represents the people. This is a democracy in which the people elects its government.

"R.O.T.C. STUDENT: I am not loyal to the government but to the people.

"MUSMANNO: By your statement you presume to put yourself above the government of the United States and the government of Pennsylvania, and you thus disgrace the uniform you wear. Shame on you!

"While the above is not a stenographic account of the exchange it represents substantially what occurred because I made my notes of the dialogue about 20 minutes after it happened.

"When I see you in Harrisburg, I will relate further detail's.

"I want to congratulate you on the splendid work you are doing in connection with this much-needed legislation, and with regards, I am

"Yours sincerely,

"/s/ Michael A. Musmanno"

Then, Mr. President, there is the incident which occurred at the Pennsylvania College for Women in Western Pennsylvania. At a class in political science, just before the Thanksgiving holiday, the professor was discussing the Pechan Loyalty Oath Bill with his class and he concluded his remarks this way: "I would like to get an expression from this class as to how you feel about the loyalty oath. You will be going home for Thanksgiving in a day or two, so I would like to have a vote before you go as to whether you are in favor of this bill or against it. I want you to vote before you go home because otherwise you might be influenced by your parents."

What kind of education is being taught in a school which fears the influence of the parents on the children? Since when has a college professor taken it upon himself to ask his students to ignore the Fourth Commandment, "To Honor Thy Father and Mother?"

Mr. President, there is another incident. Now I have a letter here from a student at Penn State. The fellow who wrote this letter to me happens to be a member of the Board of Education with me in my home town, and is a teller in our local bank. He said:

"Senator A. R. Pechan  
"Pechan Building  
"Ford City, Pa.

"Re: Jack Badura

"My dear Senator:

"Just received a letter from Jack at Penn State." Jack is his son at Penn State. "He is majoring in Speech and English. A paragraph from his letter might be of interest to you.

"I made another speech in my Speech Class, and I took my life in my hands on what I talked on. I know that Doctor Pechan would have been pleased because I defended his Loyalty Oath Bill. I didn't know what kind of a grade I would get, because of the feeling against the Bill up here. Well, believe it or not I got an 84 which is just about as good as anyone has ever done in Speech 200, believe me. The professor told me I was so convincing that he was almost persuaded himself—almost that is'.

"Sincerely,

"/s/ John P. Badura"

Of course, the student exaggerated when he said he was taking "his life in his hands" to defend the Pechan Bill, and he did not mean the phrase literally, but he used language which demonstrated quite clearly what was being taught in his schoolroom.

I have another letter here, from which I will read only one paragraph, and I will not divulge the name of the sender for obvious reasons. It begins:

"Congressman Pechan,  
"State Capitol  
"Harrisburg, Pa."

And then it goes on: "As a graduate student at the

University of Pennsylvania, I am very much interested in your bill on loyalty oaths. I am writing a doctoral dissertation beside being an instructor in political science."

Mr. President, here is a graduate of the University of Pennsylvania that thinks I am a congressman, and that Congress sits at Harrisburg! This university graduate teaches political science! Of course, I have received many letters indicating a very intelligent appreciation of what this bill intends to do, but I would say that generally the opponents have been more vociferous than the proponents, and consequently have confused in the minds of a large percentage of the people just what this bill intends to do.

Mr. President, this bill is not a criminal bill. It is a loyalty bill. It has nothing to do with criminal law. Therefore, the phrase "reasonable doubt" which appears in the bill is not to be confused with the reasonable doubt provision that criminal law talks about. This bill simply says that all those who are receiving money from the taxpayers or Pennsylvania should be loyal to the taxpayers, that is to say, to the form of government that the Commonwealth of Pennsylvania represents. No one questions that a private employer may discharge an employee who is found aiding his competitor, giving him trade secrets and so forth. Why, therefore, should we question the right of the Commonwealth of Pennsylvania to discharge an employee who is giving aid and comfort to the enemies of the Commonwealth of Pennsylvania?

I hold here in my hand a copy of the "Teachers Union News," issue of October, 1951, and let us not get this confused with the Pennsylvania State Education Association. This "Teachers Union News" is published by the Teachers Union of Philadelphia, which has led the fight against this bill, I have a report that was handed to me by people who know exactly what they are. I will read this to you.

"The Teachers Union of Philadelphia, Local No. 556, United Public Workers, usually referred to as Philadelphia Teachers Union, has headquarters at 13M South Twenty-first Street, Philadelphia. It is an affiliate of United Public Workers, which is an independent union. It has one hundred ninety-seven members." Do not forget that figure. "Known officers are President, Francis P. Jennings, Carl Mackley Apartments, M and Bristol Streets, Philadelphia; Legislative Director, Esther Soler, 5243 Lebanon Avenue, Philadelphia; Financial Secretary, Bernard August, Carl Mackley Apartments, M and Bristol Streets, Philadelphia."

Now, Mr. President, to go on, "This is a leftwing union, expelled from the United Public Workers, C.I.O., in 1949 because of alleged communistic tendencies." I talked to Jim McDevitt yesterday at the bar of the Senate, and he told me that they were also expelled from the A. F. of L. Now, those one hundred ninety-seven members have spent at least \$100,000 opposing this bill. I have a stack of literature that high (indicating) that these people have sent out. It consists of reprints, memoranda. They have contacted the 2,600 school districts in Pennsylvania. Where they got their money, I do not know, but these one hundred ninety-seven people certainly did not dig down in their pockets and pay this bill, and I do not want these people to be confused with the Pennsylvania State Education Association.



Mr. President, the leading article in this "Teachers Union News" begins with this statement:

"On September 26, the Pennsylvania House of Representatives voted the Pechan-Kunzig Bill S.B. 27, through its second reading, by a scant constitutional majority of 15 votes. In an atmosphere of intimidation and violence, a gang of professional veterans . . . threatened representatives in loud, profane language."

What kind of language is that? Mr. President, I don't think that any Senator who either has served in the armed forces himself or has had a son or other dear relatives wear the uniform of the United States—I don't think any such Senator likes ex-soldiers to be referred to as "a gang of professional veterans."

Then this sheet goes on to urge its members to come to Harrisburg to "offset the VFW-Legion-Amvets gangup." Do you see any gang-up around here?

Mr. President, publications of this kind are doing incalculable harm to innocent schoolteachers who are loyal but who are being misled. Incidentally, let me interject by saying this, that deep down in my heart I believe that our teachers are ninety-nine per cent plus loyal to our American way of life, but it is that one per cent that does all the harm. The teachers are being led to believe that this legislation would curtail their freedom, that it would seriously infringe on their liberties as guaranteed by the bill of rights. This bill does not restrict free speech. Of course, it will punish the person who by speech urges the overthrow of our government by force and violence. Free speech was never intended to protect from harm the traitor who conspires to destroy our institutions, and by that the right of free speech itself. In human society there never was such a thing as absolutely unlimited free speech. No one, for instance, has the constitutional right to stand up in a crowded theater and cry out a false alarm of "fire." Nor does the right of free speech exempt from responsibility anyone who slanders his neighbor falsely. Even the right to own property carries with it certain limitations. One cannot erect on his own land an establishment which emits poison to the detriment and harm of his neighbor.

Many who oppose this bill say that by its provisions schoolteachers and other State employees may be stigmatized for life. They will not be stigmatized if they are innocent. No State employee or teacher will be endangered if he is loyal, any more than a citizen will be endangered by the laws of the land. In fact, this legislation will protect the reputation of the State employee more than criminal law generally protects the citizen if unjustly accused. Under this bill as now amended, no teacher or State employee will be subjected to adverse publicity, or publicity of any kind, until he has had an opportunity to be heard and has had the opportunity to appeal from any decision which might be made against him. The bill specifically provides that all hearings shall be private and all reports made shall be confidential.

Mr. President, one thing the opponents overlook telling the people is that there are disloyal people in Pennsylvania just as there are in other States, and this bill is aimed at the disloyal ones and not the loyal citizens. Under the bill's strict provisions, even the disloyal citizens are saved embarrassment and public criticism until all the

evidence is in and an impartial tribunal passes upon the evidence.

This bill is necessary in these troublous times. We know that people working for the Federal Government have given away and bartered away state secrets and even the secret of the atom bomb. We just want to make sure that defense plans in Pennsylvania will not be sold or given to the enemy. I am sure, Mr. President, that we are defending the interests of the people when we seek to make our State secure from the conspirator, the traitor and those who are disloyal. The loyal will not be harmed, the true will not be molested.

Mr. President, I do not want my remarks to be misapprehended. I believe that the vast majority of the schoolteachers are for this bill, I believe that the vast majority of the students are for this bill. If I criticize some persons who are spreading half-truths and distortions, that does not mean I do not have faith in those who accept the bill for what it is intended. The concept in this bill is not new. The Federal Government has had a loyalty program in effect for many years, and under this loyalty program, traitors were exposed and dismissed from the government, and the Country has been made stronger.

If this legislation should impose some inconvenience, it is not too much to pay for the perpetuation of the American way of life. Freedom always means restraint of some kind, for freedom without regulation is simply chaos which leads to anarchy. Freedom to drive an automobile does not allow me to plough through stop signs or run down pedestrians.

Mr. President, those who are truly loyal do not mind any inconvenience so long as it works for the benefit of all the people. The soldiers at Valley Forge suffered many an inconvenience in order that America might live. I am sure, Mr. President, that we think as one in the protection of all these rights made sacred by the sacrifices of the patriots of this great land, but I think we also recognize the responsibility of removing from the "Freedom Train" those hitch-hikers who are planning its very destruction.

Mr. McGINNIS. Mr. President, when this bill was up for a vote on this floor, I voted against it and spoke against it, and I am mighty glad I did. I said then that this bill would do no good, it would not hurt a single communist, but it would create in our universities, in our schools and among our teachers, arguments and discussions and fighting and quarreling, and just what Senator Pechan said to you here now proves that.

Mr. President, this bill does no good, and I am sure that the Pittsburgh Press, the Pittsburgh Post Gazette and the Philadelphia Inquirer, within the last two weeks, have written the most powerful editorials that I have ever read against this bill. So, to keep harping that anybody who is against it is disloyal shows what a controversial thing this bill is. It does no good but points the finger of suspicion at every schoolteacher in Pennsylvania. As Senator Pechan just said here, he knows that ninety-nine per cent of the schoolteachers of this State are loyal, and every Senator on this floor knows the same. Then why force a bill through with bands and drums to point the finger of suspicion at every schoolteacher in Pennsylvania as though they were traitors or disloyal? That is a bad thing to do.

Mr. SILVERT. Mr. President, I was one of the six

Senators who voted against the Loyalty Oath Bill on March 28. Doctor Pechan has stated that he has not said a single word on the Senate floor since that time on behalf of the bill. I want to say that since March 28, I have not said a single word against the bill.

Mr. President, the impression that Senator Pechan seems to have is that this bill is opposed primarily by leftwingers. I want to say to you, Mr. President, that we have two papers in Philadelphia, neither one of which could ever be accused as leftwingers by either Republicans or Democrats. Since Senator Pechan has read into the record a number of voluminous letters, may I at this time read into the record an editorial printed in the Philadelphia Bulletin within the last week.

#### "Police State Proposal"

"Coming to a head when the Legislature convenes is the Pechan bill. It is usually called the Loyalty Oath Bill, but that is misleading, because the oath is a comparatively unimportant part of the proposal.

"Far more important is the fact that a teacher or public officer or employe could be forced to defend himself in a farcical trial against vague charges of disloyalty.

"The charges might not even be revealed. The superior officer, who conducts the trial, would not even be obliged to tell the accused what the charges were. This may be hard to believe, but that is what the Pechan bill says.

"In criminal trials the accuser must prove his charges beyond a reasonable doubt. The Pechan bill reverses this. It makes the defendant prove his innocence beyond a reasonable doubt. If he fails in this, he stands to lose his livelihood.

"The disloyalty for which one may be so punished is not defined. Some disloyal activities and associations are mentioned, but the bill provides that others, not mentioned, may be taken into account.

"In a proceeding in which the dice are so loaded against the accused, the charge might be disloyalty, but the motive of the accuser nothing more worthy than petty spite.

"There is deep irony in the fact that people who want to fight off the police state are so often willing to try to do it by police state methods. For the Pechan bill smells unmistakably of the police state."

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 9 o'clock p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

#### AFTER RECESS

By Appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (John M. Walker) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO HOUSE BILL NO. 1404 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House in-

sists upon its amendments non-concurred in by the Senate to House Bill No. 1404, recalled from the Governor, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school district, in certain cases.

and has appointed Messrs. SOLLENBERGER, HELM and SEYLER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such a committee) to consider the differences existing between the two houses in relation to said bill.

The PRESIDING OFFICER. The message will be laid on the table.

The PRESIDING OFFICER. The Chair at this time calls the gentleman from Cumberland, Mr. Wade, to the rostrum to preside.

The PRESIDING OFFICER (George N. Wade) in the Chair.

#### PETITIONS AND REMONSTRANCES IN RE. SENATE BILL NO. 27

The CHAIR cleared his table and laid before the Senate numerous petitions in re. Senate Bill No. 27, from members of the faculties of the colleges of the Commonwealth of Pennsylvania, which were read by the Clerk and referred to the Committee on State Government.

#### SENATE CONCURRENT RESOLUTION

#### COMMISSION TO STUDY THE ESTABLISHMENT OF A SCHOOL OF MEDICINE IN SCRANTON

Messrs. McMENAMIN, ROBINSON, CROWE and TOOLE, offered the following resolution which was twice read as follows:

In the Senate, December 11, 1951.

Whereas, the need for additional Medical School facilities in the State of Pennsylvania has long been recognized, and has been officially noticed by the Department of Welfare, and

Whereas, hinging upon availability of clinical facilities from the standpoint of sound medico-educational practices, medical schools should be located in heavily populated areas, and

Whereas, the Scranton metropolitan area is the next logical point for the establishment of an additional medical school since the County of Lackawanna has a population of 256,080; and the area within a 25 mile radius of Scranton (which includes the City of Wilkes-Barre and part of Luzerne County) has a population of over one-half million people; the area with a 50 mile radius of Scranton has a population of in excess of three quarters of a million people, and these areas are interlaced and connected with Scranton by a network of modern highways, and

Whereas, Lackawanna County has the following existing hospital facilities which could be integrated with a Medical school:

(1) Ten general medical-surgical hospitals, one mental hospital, one children's and maternity hospital, one TB sanitarium, one hospital for contagious diseases and several small private specialized hospitals with a total of more than 2800 hospital beds, of which more than 1100 beds are located in the general hospitals; this is a greater number of general hospitals and beds than in any other area in the State outside of Philadelphia and Pittsburgh.



(2) Five of the general hospitals are certified by the State Board of Nurse Examiners and maintain nurse's training schools.

(3) All of the Lackawanna County general hospitals maintain the basic services (Internal Medicine, Surgery, Obstetrics) set by the American Hospital Association).

Whereas, Scranton is located in the heart of highly industrialized and mining area, advantageous from a geographical standpoint since it is located 142 miles from New York, 121 miles from Philadelphia and is on a direct airline route to State College, Pa., and

Whereas, the Scranton Metropolitan area is thus ideally suitable for the establishment of a new medical school in Pennsylvania,

Now therefore be it resolved (if the House concurs) That the General Assembly of Pennsylvania constitute and appoint a commission consisting of three Senators to be appointed by the President pro-tem and three State Representatives to be appointed by the Speaker of the House for the purpose of preparing a study of the feasibility of the establishment of a School of Medicine in Scranton and submitting its report to the Regular Session of the General Assembly in 1953 together with legislation for the implementation of its recommendation.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. McMENAMIN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration of the resolution.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

#### REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same; and providing for issuance by county treasurers only.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Reapportionment.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### REPORT FROM COMMITTEE

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Reapportionment, reported as committed, Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### REPORTS FROM COMMITTEES

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on State Government, reported as amended, Senate Bill No. 811, entitled:

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

He also, from the Committee on State Government, reported as committed, House Bill No. 1707, entitled:

An Act to further amend section seven of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence.

He also, from the Committee on State Government, reported as committed, House Bill No. 1679, entitled:

An Act to further amend the last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities.

He also, from the Committee on State Government, reported as committed, House Bill No. 1468, entitled:

An Act to add section 10.1 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of the public school system.

He also, from the Committee on State Government, reported as committed, House Bill No. 1469, entitled:

An Act to add section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

He also, from the Committee on State Government, reported as amended, House Bill No. 1662, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases.

## CALENDAR

### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the power of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 61 on third reading, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 162, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,



The Senate proceeded to the third reading and consideration of House Bill No. 163, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts of the second third and fourth classes to levy additional taxes to pay rentals to municipality authorities authorizing boards of school directors to make additional appropriations or to increase appropriation authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money including proceeds of general obligation bonds to municipality authorities to acquire additional property for authority projects to lease school projects from and pay rentals to municipality authorities to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017) and as amended in part by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1722) is hereby further amended to read as follows

Section 672 Tax Levy Limitations (a) In all school districts of the second third and fourth class all school taxes shall be levied and assessed by the board of school directors therein during the month of April or May each year for the ensuing fiscal year except in districts of the second class where the fiscal year begins on the first day of January in which the school taxes shall be levied and assessed during the month of October or November of each year In school districts of the second class the tax rate shall not exceed twenty mills on the dollar and in school districts of the third and fourth class shall not exceed twenty-five mills on the dollar on the total amount of the assessed valuation of all property taxable for school purposes therein Each school district of the second third or fourth class may also collect a per capita tax on each resident or inhabitant of such districts over twenty-one years of age as herein provided

(b) Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein (1) To pay the minimum salaries and increments of the teaching and supervisory staff provided for herein and (2) to pay rentals due any municipality authority or due the State Public School Building Authority Neither of said taxes shall be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the millage fixed or limited by this section Provided That in districts of the fourth class the tax herein authorized to pay minimum salaries and increments together with all other school taxes except taxes to pay rentals due any municipality authority or due the State Public School Building Authority levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and the tax to pay rentals due any municipality authority or due the State Public School Building Authority together

with the maximum rate permitted by this section for purposes other than to pay minimum salaries and increments shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and in case of emergency with the approval of the Superintendent of Public Instruction an additional five (5) mills to provide for obligations due any municipality authority or due the State Public School Building Authority under a lease or contract previously entered into

Section 2 Subsection (c) of Section 687 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017) is hereby further amended to read as follows

Section 687 Annual Budget Additional or Increased Appropriations Transfer of Funds

\* \* \* \* \*

(c) The board of school directors may during any fiscal year make additional appropriations or increase existing appropriations to meet emergencies such as epidemics floods fires or other catastrophies or to provide for the payment for rental under leases or contracts to lease from the State Public School Building Authority or any municipality authority entered into subsequent to the date of the adoption of the budget The funds therefor shall be provided from unexpended balances in existing appropriations from unappropriated revenue if any or from temporary loans Such temporary loans when made shall be approved by a two-thirds vote of the board of school directors

Section 3 Article XII of said act is hereby further amended by adding at the end thereof a new subsection to read as follows

#### (g) Municipal Authorities

Section 790 Grants Conveyances Appropriations to Contracts with and Lease from Municipality Authorities Whenever the board of any municipality authority shall have undertaken a school project or projects for use by a school district individually or for use by two or more school districts jointly such school district or school districts shall have the power upon written approval of the Department of Public Instruction

(1) To sell lease lend grant or convey to such municipality authority individually or jointly with or without consideration any lands easements or rights in lands which may be deemed necessary for the project together with any buildings structures or improvements thereon erected as well as furnishings and equipment used or useful in connection therewith

(2) To purchase or otherwise acquire additional lands or interests in lands which may be deemed necessary for the project and to finance such acquisition by the issuance and sale of general obligation bonds according to law

(3) To transfer assign and set over to such municipality authority any contract which may have been awarded for such project or projects

(4) To make appropriations to such municipality authority out of its or their general funds or out of any other available funds including proceeds of insurance on school property the proceeds of bonds of the school district or districts issued for building purposes and not so used and moneys set aside or otherwise available for building purposes Any such funds which represent the proceeds of any general obligation bonds heretofore or hereafter issued by the school district shall be used by such municipality authority for or towards the purpose or purposes for which such bonds were issued and in the event that any such bonds were issued pursuant to a vote of the electors any appropriation of such proceeds as above set forth shall not be deemed such a change of purpose from that for which such bonds were authorized as shall require the question to be again submitted to a vote of the electors under any existing law

(5) To lease individually or jointly from such municipality authority such school project or projects for a term not exceeding forty (40) years as such rental or rentals payable out of current revenues and upon such terms and conditions as may be authorized by the board of such municipality authority and the board or boards of school directors of such school district or school districts



and in case of joint leases to agree upon the manner of sharing as between the school districts the rental or rentals and any other sums payable to the municipality authority and the costs and expenses of insuring operating maintaining and repairing the school property leased

(6) To make all other contracts or agreements with such municipality authority or with other school districts as may be deemed necessary or convenient in connection with the project

Section 4 Section two thousand five hundred eleven point one of said act as added by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1879) is hereby amended to read as follows

Section 2511.1 Payments on Account of Obligations to State Public School Building Authority and on Account of Rentals Payable to Municipality Authorities and Non-profit Corporations (A) The Commonwealth shall pay annually to each school [districts] district erecting or sharing in the erection of a building or buildings or providing educational [facilities] equipment under the provisions of the State Public School Building Authority Act an amount to be determined (1) by multiplying the school districts standard reimbursement fraction by fifty one-hundredths (50-100) and by the annual rental charge as fixed by the State Public School Building Authority or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental charge fixed by the State Public School Building Authority

(b) The Commonwealth shall also pay commencing with the school year one thousand nine hundred fifty-one one thousand nine hundred fifty-two (1951-1952) and annually in each school year thereafter to each school district which shall have entered into an approved lease with a municipality authority or with a non-profit corporation for the rental of a school building or buildings or providing education equipment an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the rental or share thereof paid by the school district during the prior school year under its leave with such municipality authority or non-profit corporation or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten thousandths (.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental or share thereof paid by the school district during the prior school year under its lease with such municipality authority or non-profit corporation no payment shall be made to any school district on account of any lease entered into with any municipality authority or non-profit corporation unless such lease is approved by the Department of Public Instruction The Department of Public Instruction shall give its approval if it shall find that the lease project is in conformance with general county and State plans for an orderly development of improved attendance areas and administrative units and for the improved housing of public schools in the Commonwealth that the school building will conform with standards and regulations prescribed by the Department with respect to educational design location usefulness for community activities safety comfort and convenience and that the school district or school districts to which the project is to be leased will have the ability to meet from current revenues the rental or their respective shares of rental to be paid to the municipality authority or non-profit corporation under the proposed lease and to defray the cost of their respective shares of the cost of operation and maintenance of the project

(c) The standard reimbursement fraction used for the above [purpose] purposes shall be the actual fraction as determined by the Department of Public Instruction as provided in clause (6) of section two thousand five hundred one of the act to which this is an amendment without reference to the minimum value of such reimbursement fraction

Payment to a school district shall be determined and approved by the Department of Public Instruction The

amount so approved shall be included in and be payable from any future appropriations made to the Department of Public Instruction [during the term that a lease exists between the school district and the Authority or so long as such school district is indebted to the Authority under said lease]

Section 5 The sum of four hundred thousand dollars (\$400,000) or as much thereof as shall be necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of making payments to school districts on account of obligations to the State Public School Building Authority and on account of rentals payable to municipality authorities and non-profit corporations The appropriation made hereby shall be in addition to any other sums appropriated or made available for said purposes during said period

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wagner,
Byrne,	Lane,	Peelot,	Walker,
Chapman,	Leader,	Proper,	Watkins,
Crowe,	Letzler,	Robinson,	Watson,
Dent,	Mahany,	Rosenfeld,	Wolfe,
DiSilvestro,	Mallery,	Ruth,	Wood,
Fleming,	McCreesh,	Silver,	Yosko,
Freed,	McGinnis,	Snowden,	Wade,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. WALKER, Mr. President, I ask unanimous consent that Senate Bill No. 283, on third reading, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER, Mr. President, I ask unanimous consent that Senate Bill No. 284, on third reading, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER, Mr. President, I ask unanimous consent that Senate Bill No. 286, on third reading, entitled:



An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of of Senate Bill No. 344, as follows:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the Department for the purpose of advancing research and demonstrations on improvement in nutritional status and consequent improvement in physical well-being of civilians based on research work now in progress Emphasis shall be placed on nutrition tests and demonstrations as a part of community health programs as well as nutrition studies in State-aided institutions as an aid to diet planning in said institutions The Department of Health shall commission said research work and demonstrations to said Land Grant College and remain in an advisory capacity so as to benefit by such results of the research and demonstrations as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amounts as the college shall request

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin.	Stevenson.
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wagner,
Byrne,	Lane,	Peelor,	Walker,
Chapman,	Leader,	Propert,	Watkins,
Crowe,	Letzler,	Robinson,	Watson,
Dent,	Mahany,	Rosenfeld,	Wolfe,
DiSilvestro,	Mallery,	Ruth,	Wood,
Fleming,	McCreesh,	Silvert,	Yosko,
Freed.	McGinnis,	Snowden,	Wade,

Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 455, on third reading, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 465, on third reading, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals for part of the cost of training student nurses in approved schools of nursing.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 546, on third reading, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans and soldiers sailors marines female field clerks yeomen (female) and nurses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 548, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty-five million dollars (\$85,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs neces-

sary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

Section 4 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time to provide necessary medical dental and surgical care for children as provided in the act of July 5 1947 (P. L. 1301) Provided however That during the biennium beginning the first day of June one thousand nine hundred fifty-one not more than one million dollars (\$1,000,000) shall be spent by the Department of Public Assistance to provide such necessary medical dental or surgical care Provided however That if the receipt of Federal funds is delayed during the month of May one thousand nine hundred fifty-one for the payment of assistance and administrative expenses as provided by the Public Assistance Law there is hereby appropriated out of the moneys appropriated by section one of this act sufficient moneys to meet the deficiency caused by the delay in the receipt of Federal funds

Section 5 The amounts expended from time to time for administrative expenses out of the moneys appropriated by section one of this act shall at no time exceed seven and one-half per cent of the total amount expended for all purposes

For the purposes of this section "administrative expenses" shall include (1) administrative expenses of the several county boards of assistance (2) administrative expenses incurred by the Department of Public Assistance which are chargeable to county boards (3) attorneys' fees and court costs and (4) administrative expenses of the Department of the Auditor General and the Treasury Department

Section 6 The provisions of this act shall become effective immediately upon enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Tcole,
Blass,	Kessler,	Pechan,	Wagner,
Byrne,	Lane,	Peelot,	Walker,
Chapman,	Leader,	Propert,	Watkins,
Crowe,	Letzler,	Robinson,	Watson,
Dent,	Mahany,	Rosenfeld,	Wolfe,
DiSilvestro,	Mallery,	Ruth,	Wood,
Fleming,	McCreesh,	Silvert,	Yosko,
Freed	McGinnis,	Snowden,	Wade,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 551, as follows:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-three thousand dollars (\$23,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the payment of additional workmen's compensation payable by the Commonwealth in cases of second injuries under the provisions of section three hundred six point one of the Workmen's Compensation Law as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1186)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I checked these appropriation bills today and I found that for the 1949-51 biennium, there was \$100,000 appropriated for the purposes outlined in Senate Bill No. 551, and I checked to determine what the balance in the appropriation was as of November 30, and I found of the \$100,000 that was appropriated for the last biennium, there was still a balance of \$94,585.17 left from the \$100,000 appropriation.

Mr. President, it seems to me that since this appropriation only calls for \$23,000, unless I am mistaken, that the \$94,000 balance in the last appropriation ought to be lapsed and a portion of it taken in the amount of \$23,000 and applied for the purpose for this biennium, but I think it is a mistake to pass this bill under the circumstances that I outlined. I would suggest that the bill go over so we have a chance to look at it tomorrow.

Mr. WALKER. Mr. President, I would like to suggest to the gentleman from Northampton, if he will notice in the 1949-51 biennium, the amount of \$100,000 was appropriated and a very small amount of that was used during the biennial period, and in this present biennium there was set up in the budget an item of \$100,000 for this same specific fund. This has been cut to \$23,000 in this present bill, and the amount which was left over from the 1949-1951 biennium, Senator, automatically lapsed and became part of the surplus, and you will find in the revised budget an item of \$19,000,000 which we utilized in the budget.

Mr. YOSKO. Mr. President, you may say that it lapsed, but so far as the books are concerned it is still on the books with no lapse bill passed.

Mr. President, I agree with the gentleman from Allegheny that it is surplus because it is not used, but so far as the books are concerned it is still a part of it, it is still a part of the last appropriation.

Mr. WALKER. Well, Mr. President, for the gentleman's information, if he will consult any one of the fiscal officers, he will find that at the end of the biennial period, that is the 1949-1951 biennial period, at the end of that period,



Senator, you cannot requisition on the balance that is left in that fund. As a result, it automatically lapses and that is why it becomes necessary to produce this.

Mr. DENT. Mr. President, I would like to interrogate the Majority Leader.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. It is always a pleasure, Mr. President.

Mr. DENT. Mr. President, are we to understand then that this sum, and others like it, automatically lapse and become part of the lapsed fund or surplus to be used in the next biennium at the discretion of the Senate or the Legislature?

Mr. WALKER. Funds like it, Senator, became lapsed and became a part of the surplus. The gentleman will recall that the estimated surplus, at the time the budget message was delivered, was, I think, ten million odd dollars, but just how much of that surplus should be lapsed could not properly be anticipated by the Budget Office at the time the budget message was delivered to the General Assembly.

Mr. DENT. I would like to further interrogate the gentleman from Allegheny.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be further interrogated?

Mr. WALKER. Yes, Mr. President.

Mr. DENT. Mr. President, is this appropriation considered a special fund appropriation or a regular fund appropriation?

Mr. WALKER. I am sorry, Mr. President, I did not understand the question.

Mr. DENT. Special funds do not need lapsed bills, but regular funds do.

Mr. WALKER. Mr. President, this certainly would come under the heading of a special fund and as the gentleman from Westmoreland has stated, special funds do not need a lapsed bill, but regular funds do. This is one of those items, and we are simply reappropriating \$23,000 to keep the fund alive in case there is a claim.

Mr. DENT. At this time, Mr. President, I would like to interrogate the gentleman from Northampton.

The PRESIDING OFFICER. Will the gentleman from Northampton, Mr. Yosko, permit himself to be interrogated?

Mr. YOSKO. I will, Mr. President.

Mr. DENT. In your analysis of this particular appropriation, you stated that there appears to be \$94,000 still in that particular fund.

Mr. YOSKO. According to the records of the Department, that is correct.

Mr. DENT. That is the point I wanted to clear up. If that is still on the records of the Department, it evidently has not been lapsed but is considered as a surplus.

May I interrogate the Majority Floor Leader further?

The PRESIDING OFFICER. Will the Majority Floor Leader permit himself to be further interrogated?

Mr. WALKER. Yes, Mr. President.

Mr. DENT. As I understand it, Senator Walker, since that money appears as a surplus, that money cannot be used in this biennium but it will lay there, and I think it ought to be lapsed, and if lapse legislation is necessary, it ought to be introduced.

Mr. YOSKO. I think it ought to be investigated.

Mr. WALKER. I have no quarrel with you on that, but I would prefer if the gentleman used the term "checked" or "looked into." I do not like the word "investigate" at the moment.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelot,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 552, on third reading, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 554, on third reading, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection. The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 557, as follows:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred fifty thousand dollars (\$950,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947" for the two fiscal years beginning June first one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer
Haluska,			

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 560, on third reading, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 561, as follows:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy thousand six hundred ten dollars (\$70,610) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the purpose of administering the provisions of the "Pennsylvania Hospital Survey and Construction Act of 1947" for the two fiscal years beginning June first one thousand nine hundred fifty-one and in addition to said amount all moneys received from the Federal Government and from other sources for such purposes shall be credited to the appropriation made by this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Hare,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,

Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer
Haluska			

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 570, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million one hundred ten thousand dollars (\$1,110,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred fifty-one by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or "The Pennsylvania Occupational Disease Act" approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-one one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I want to make the same observations for the record in regard to this bill. In the last biennium, there was appropriated \$500,000 and the balance, as far as the records show, is still \$500,000. No money has been used.

Mr. WALKER. Mr. President, I think the same explanation applies, and I have the same suggestion that perhaps it should be looked into.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,



Dent, DiSilvestro, Fleming, Freed, Haluska,	Mallery, McCreesh, McGinnis, McMenamin,	Ruth, Silvert, Snowden, Stevenson,	Wood, Yosko, Wade, Presiding Officer
---	--	---	---

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 572, as follows:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred thousand dollars (\$900,000) or as much thereof as may be necessary is hereby appropriated to the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred fifty-one for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes for furnishing funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means for planning and providing for the rehabilitation and care of veterans and for the acquisition of land by purchase condemnation or gift and the construction of buildings with the approval of the Governor as may be deemed necessary for the rehabilitation and care of veterans

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane, Barr, Barrett, Berger, Blass, Byrne, Chapman, Crowe, DiSilvestro, Dent, Fleming, Freed, Haluska	Hare, Holland, Kephart, Kessler, Lane, Leader, Letzler, Mahanay, Mallery, McCreesh, McGinnis, McMenamin,	McPherson, Jr. Meade, Neff, Pechan, Peelor, Probert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Stiefel, Taylor, Toole, Wagner, Walker, Watkins, Watson, Wolfe, Wood, Yosko, Wade, Presiding Officer
---	---	---	---

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 577, as follows:

An Act making an appropriation to the State Public School Building Authority for payment of the cost and expenses incurred in the work of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred fifty thousand dollars (\$650,000) or as much thereof as may be necessary is hereby appropriated to the State Public School Building Authority for the payment of costs and expenses incurred in the work of the Authority under the "State Public School Building Authority Act" approved July 5 1947 (P. L. 1217)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I would like to note for the record that during the 1949-51 biennium, the budget shows \$500,000 appropriated for the purpose outlined in Senate Bill No. 577, and according to the records of the Department, there is still a \$500,000 balance in that fund.

Mr. WALKER. Mr. President, I think if the gentleman from Northampton will consult with, may I suggest, Senator Dent, since he is a member of the State Public School Building Authority, he will find that the balance in this particular account for the 1949-1951 biennium is because of the fact that some of the projects have not been completed, and therefor the fund was still active and has been earmarked for various projects.

Mr. DENT. Mr. President, I am sorry that I did not have an opportunity to discuss this particular appropriation with my colleague from Northampton. If I had, he would have understood that this School Authority is a continuing operation, and these particular funds are earmarked for projects that are in progress.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane, Barr, Barrett, Berger, Blass, Byrne, Chapman, Crowe, Dent, DiSilvestro, Fleming, Freed, Haluska,	Hare, Holland, Kephart, Kessler, Lane, Leader, Letzler, Mahanay, Mallery, McCreesh, McGinnis, McMenamin,	McPherson, Jr. Meade, Neff, Pechan, Peelor, Probert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Stiefel, Taylor, Toole, Wagner, Walker, Watkins, Watson, Wolfe, Wood, Yosko, Wade, Presiding Officer
--	---	---	---

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 579, on third reading, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elks Township Warren County Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 732, as follows:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four thousand (\$4000) dollars is hereby specifically appropriated to the Department of Military Affairs for the purpose of compensating any person for property damages and miscellaneous expenses where any property was damaged in accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard and where no insurance was carried by the Commonwealth on such airplanes and where such persons are otherwise barred by law from recovery against the Commonwealth

Section 2 Any such person who is in charge control custody or owner of such property that has been damaged as a result of accidents as provided in Section one of this act may present a claim for compensation to the Board of Finance and Revenue and for the purpose of hearing and adjusting such claims The Adjutant General of the Commonwealth shall become a member of said board with full power of a member thereof

Section 3 The Board of Finance and Revenue shall hear and determine all such claims and if in any case the board determines that such property damage was caused as a result of an accident occurring through negligence of the operator of the airplane of the Pennsylvania National Guard that no insurance was carried on such airplane by the Commonwealth that a moral claim exists against the Commonwealth for such damages and that such claim or claims are not adjustable or recoverable under existing law against the Commonwealth it shall make a finding to that effect and shall fix the sum which in its opinion will compensate any such person for such property loss and shall certify such findings to the Adjutant General

Any amount so fixed by the Board of Finance and Revenue shall be payable from the appropriation hereinbefore made by requisition of the Adjutant General in the manner provided by law and to each such requisition shall be attached the findings of the Board of Finance and Revenue

Section 4 The action of the Board of Finance and Revenue in allowing or disapproving a claim shall be final and there shall be no appeal therefrom but the board in its discretion may grant rehearings on any claim and make new findings in accordance with this act

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,

Hare,

McPherson, Jr., Stiefel,

Barr,  
Barrett,  
Berger,  
Blass,  
Byrne,  
Chapman,  
Crowe,  
Dent,  
DiSilvestro,  
Fleming,  
Freed  
Haluska,

Holland,  
Kephart,  
Kessler,  
Lane,  
Leader,  
Letzler,  
Mahany,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin

Meade,  
Neff,  
Pechan,  
Peelor,  
Propert,  
Robinson,  
Rosenfeld,  
Ruth,  
Silvert,  
Snowden,  
Stevenson,

Taylor,  
Toole,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,  
Wade,  
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 754, as follows:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-seven thousand five hundred dollars (\$137,500) or as much thereof as may be necessary is hereby specifically appropriated to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory in its School of Agriculture for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth thirty-seven thousand five hundred dollars (\$37,500) of the moneys appropriated hereby shall be available and expended only to the extent that a sum equal to the amount to be expended by the Commonwealth is contributed to The Trustees of Pennsylvania State College by members of the poultry industry affidavits evidencing such contributions shall be submitted by The College to the Auditor General

Section 2 The moneys appropriated by this act are to be used for the following purposes

(1) To erect new structures or to alter existing structures at Pennsylvania State College in order to provide laboratory space and research facilities adequate for an exploratory program of research in animal and poultry diseases

(2) To purchase requisite laboratory equipment for the proper conduct of such research

(3) To employ the scientific personnel required for such research

(4) To defray such other expenses as are incident to the establishment and proper operation of such research in animal and poultry diseases

Section 3 The functions of the staff and personnel of the laboratory created by this act shall be as follows

(1) To serve as research consultants to the regional animal and poultry disease diagnostic laboratories maintained in several parts of the Commonwealth by the State Department of Agriculture

(2) To study animals and poultry having obscure symptoms of disease in order to define the ailment and to prescribe treatment therefor

(3) To aid the State Department of Agriculture in the control of epidemic outbreaks of animal and poultry diseases within the Commonwealth

(4) To assist in the development and conduct of an educational program designed to help livestock and poultry raisers reduce to a minimum the incidence of disease among their flocks and herds

Section 4 The provisions of this act shall become effective immediately upon final enactment



And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Hare,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer
Haluska,			

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 825, as follows:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be reasonably necessary is hereby appropriated to the State Planning Board to be used in assisting local governmental agencies in solving regional planning problems which the Board may regard as having State-wide significance Such assistance shall be in the form of technical services or if approved by the Governor in the form of cash grants-in-aid All agencies prior to receiving any cash grants-in-aid as herein provided shall agree to repay the Commonwealth in accordance with such terms as are determined by the Board

Section 2 This appropriation shall be in addition to any appropriation made to or for the use of the State Planning Board

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bale,	Hare,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,

Fleming,  
Freed,  
Haluska,

McGinnis,  
McMenamin,

Snowden,  
Stevenson,

Wade,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 837, entitled:

An Act making it unlawful to print or otherwise produce wall charts tip sheets scratch sheets bookmaking tickets or other items in furtherance of illegal gambling or to transport sell or possess the same and providing penalties

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LETZLER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the bill, page, 3, by inserting between lines 8 and 9, the following: "Section 5. Nothing in this act shall be construed to prohibit any newspaper or magazine of general circulation from printing in its regular issues any news, information, pictures or editorial comment relating to horse races." Amend Sec. 5, page 3, line 9, by striking out the figure "5" and inserting in lieu thereof "6".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 837, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 865, as follows:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars (\$25,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of making a survey and research study of the extent of infection of the woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradica-

tion in order to protect maintain and preserve the several species of oak and chestnut trees growing in the State and thereby provide a continuous adequate supply of timber and food for domestic and wild life purposes

And said bill having been read at length the third time, and agreed to,

And the amendments made theretohaving been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 875, on third reading, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 915, as follows:

An Act to further amend section 2002 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring council to designate the chief and other police officers or to authorize the mayor to make such appointments  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2002 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted revised and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended to read as follows

Section 2002 Designation of Chief and Other Officers  
The [mayor] council shall designate from the force the chief and other officers who shall serve as such officers

until their successors are appointed and qualified or may by ordinance delegate to the mayor the power to make any or all such appointments

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—43

Bane,	Kephart,	Neff,	Stiefel,
Barr,	Kessler,	Pechan,	Taylor,
Berger,	Lane,	Peelor,	Toole,
Blass,	Leader,	Propert,	Wade,
Byrne,	Letzler,	Robinson,	Wagner,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Wood,
Freed,	McMenamin,	Snowden,	Yosko,
Haluska,	McPherson, Jr.	Stevenson,	Presiding Officer
Hare,	Meade,		

#### NAYS—5

Barrett,	Fleming,	Holland,	Walker,
Dent,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1234, as follows:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the giving of treatments away from beauty culture shops and by students in beauty culture schools and permitting educational demonstrations on Sunday  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Beauty Culture" in section 1 of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted &c That Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Beauty Culture" includes any or all work done for compensation by any person which work is generally and usually performed by [so-called] hairdressers cosmetologists cosmeticians beauticians or beauty culturists and however denominated [in so-called hairdressing and beauty shops ordinarily patronized by women] which work is for the embellishment cleanliness and beautifica-



tion of the woman's hair such as arranging dressing curling waving permanent waving cleansing cutting singeing bleaching coloring pressing or similar work thereon and thereabout and the removal of superfluous hair and the massaging cleansing stimulating manipulating or similar work upon the scalp face arms or hands or the upper part of the body by the use of mechanical or electrical apparatus or appliances or cosmetics preparations tonics antiseptics creams or lotions or by any other means and of manicuring the nails which enumerated practices shall be inclusive of the term beauty culture but not in limitation thereof

Section 2 Section 4 of said act as last amended by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1285) is hereby further amended to read as follows

Section 4 Eligibility Requirements for Examination No person shall be permitted by the board to take an examination to receive a certificate as an operator unless such person shall be at least sixteen years of age and has been registered as a student and has had training as hereinafter provided in this act in a beauty school duly registered [by the department] or unless such person shall have been registered and served as an apprentice at least two years as hereinafter provided in this act Provided however That the board may permit a person to take an examination without the prior studentship or apprenticeship herein required if such person shall establish to the satisfaction of the board that he or she has been an operator in the active practice of beauty culture for at least twenty-four months prior to the date of filing an application for admission to an examination No person shall be permitted to take an examination for a certificate to teach beauty culture or act as manager of a beauty shop unless such person shall be at least eighteen years of age and has had at least eighteen months' experience as an operator in a beauty shop or has had training in a duly registered school of beauty culture of fifteen hundred hours inclusive of the studies necessary to become an operator

Section 3 Sections 7 and 8 of said act are hereby amended to read as follows

Section 7 Student Practice upon the Public for Pay Prohibited It shall be unlawful for any school of beauty culture to permit its students to practice beauty culture upon the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after having first been properly informed that the operator is a student No school of beauty culture shall directly or indirectly charge any money whatsoever for treatment by its students [or for materials used in such treatment]

Section 8 Practice in Beauty Shops Only [It shall be unlawful for any person to practice beauty culture for pay in any place other than a registered beauty shop Provided That a registered operator may furnish beauty culture treatments to persons in residences of such persons by appointment]

Section 4 Section 13 of said act as last amended by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1285) is hereby further amended to read as follows

Section 13 Powers and Duties of Board The board shall have the power to refuse revoke or suspend licenses or certificates upon due hearing on proof of violation of any provisions of this act or the rules and regulations established by the board under this act or for gross incompetency or dishonest or unethical practices or for performing beauty culture work on Sunday with the exception of educational programs by licensed members of the profession to be conducted for educational purposes only No fees to be charged by the demonstrator or participant and shall have the power to require the attendance of witnesses and the production of such books records and papers as may be necessary Before any certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against

him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the board with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate of registration has been so suspended or revoked may on application to the board have the same reissued to him or her upon satisfactory proof that the disqualification has ceased Before the board may institute any of the above proceedings it shall send a notice in writing to the certificate holder of any alleged violation of this act or rules thereunder together with a notice that if the violation is not abated within fifteen days the proceedings above outlined will be initiated

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Hare,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Proper,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahany,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,	Stevenson,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### SENATOR RUTH NAMED MINORITY WHIP

Mr. SILVERT. Mr. President, may I have unanimous consent to make a brief announcement.

The PRESIDING OFFICER. The gentleman from Philadelphia may proceed.

Mr. SILVERT. Mr. President, I have been instructed by the Democratic Caucus to announce that Senator Ruth is now the new Minority Whip in the Senate.

#### PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I have just learned now that I have been replaced as the Minority Whip in my absence, which reminds me of a story that I read in one of the Saturday evening papers, wherein a hunter in the Ligonier Mountains, last Friday, had brought down an eight point buck. During the bleeding and dying moments of that buck, it made a last minute stagger, and charged the hunter, caught him in the knees, and the hunter used the butt of his rifle and he subdued the buck and brought down his game.

Mr. President, despite the fact that I am replaced as Whip by those who I involved in certain charges, who are now licking their sore wounds and who in a weak defense are throwing daggers at me, it is common knowledge that I made those charges.

Mr. President, I decided with my family about two months ago that it was about time, after eighteen years of service, to quit public life and to enjoy what I may have left in life, my remaining days, but after today, after consultation with my family who are here, I have decided that I shall once again submit my name to the voting public next year, if my Maker permits me to live that long, and I trust those who I involved will do likewise, and the people shall vindicate us at the ballot box next year. I hold no malice in my heart toward anyone, I hate no one, I did what I thought was a public service and I performed my duties accordingly, so I have no ill feelings toward any of my colleagues for the action they have taken.

Mr. President, I could not, by any stretch of my imagination, have continued as Whip just as long as the gentleman from Westmoreland is Minority Floor Leader.

#### PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I merely ask your permission to make this brief announcement to the Members of the Senate, that I am still the Minority Floor Leader.

#### SECOND READING CALENDAR

##### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 370, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 772, entitled:

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 792, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates and for their admission to and care therein and the payment of the cost thereof and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 819, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 863, on second reading, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the disposition of fines

be recommitted to the Committee on Mines and Mining.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 899, entitled:



An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 916, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess, and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the over-all limit of tax revenues

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1066, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1073, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire an unimproved tract of land in Franklin County for the use of the Pennsylvania Soldiers' Orphan School and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1121, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1122, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1126, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1127, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1130, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1135, entitled:

An Act to amend the title and Section 2 and 3 of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" by authorizing the State Council to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind accept Federal funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1138 entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1141, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1142, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1143, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boys' Dormitory

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1144, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1146, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1147, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1148, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1149, entitled:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1150, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art—Textile Institute, Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Instruction to pay expenses incurred in the operation of the Speech and Hearing Rehabilitation Centers

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WATSON offered the following amendments:

Amend Bill page 1, by inserting after the enacting clause the following section "Section 1. The act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," is hereby amended by adding after Section 1372 thereof a new section to read as follows": "Section 1372.1 Speech and Hearing Rehabilitation Centers.—The Department of Public Instruction is hereby authorized to provide, maintain, administer, supervise and operate speech and hearing rehabilitation centers for the proper training of children physically handicapped by speech and hearing defects. Public eligibility for such centers shall be determined according to standards and regulations promulgated by the State Council of Education;" Amend Sec. 1, page 1, line 1, by striking out the figure "1" and inserting in lieu thereof "2"; Amend Sec. 1 page 2, line 2, by striking out the word "the" where it appears the second time in said line.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WATSON offered the following amendment:

Amend Title, page 1, line 1, 2 and 3 of Title, by striking out all of said lines and inserting in lieu thereof "To amend the act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the training of children physically handicapped by speech and hearing defects at rehabilitation centers provided by the Department of Public Instruction; and making an appropriation."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1165, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1166, entitled:

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1178, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1189, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1217, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER. Mr. President, I desire to offer amendments to House Bill No. 1224. For the information of the gentlemen of the Senate, inadvertently, in the preparation of this bill, the wrong figures were transposed in making the appropriation, and the amendments which I am offering are corrective in order to put the correct appropriation in the bill.

Mr. WALKER offered the following amendment:

Amend page 1, section 1, lines 2 and 3 by striking out the words and figures "four hundred ninety-eight thousand dollars (\$498,000)" and inserting in lieu thereof: "nine hundred ninety-eight thousand dollars (\$998,000".

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1422, on second reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1423, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1438, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total dis-



ability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1444, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Shippensburg State Teachers College to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County Pennsylvania and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1488, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, I am presuming that we are now going to read House Bill No. 1494.

The PRESIDING OFFICER. That is correct.

Mr. BARR. Mr. President, before offering my amendment I would like to make a brief statement.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. BARR. Mr. President, this bill concerns the Western Psychiatric Institute and Clinic. Two years ago this Senate passed a bill transferring the Western Pennsylvania Psychiatric Institute over to the University of Pittsburgh, and this was done mainly at the suggestion of the then Governor, James Duff. This Institute was built under the General State Authority and was completed in the year of 1940. At that time it had lain idle for perhaps a full year. The reason I mention this is because I know this Institution better, I think, than anyone in the Senate or anyone in the House, because my first speech, when I ran for the Senate of Pennsylvania was made on the steps of this Institution. As I say, it had lain idle for a year and had not been opened by the then Governor of the Commonwealth, Governor James. I promised the people of the Pittsburgh district that if I was elected to the Senate, I would do all that one person could possibly do to see that this Institution was opened and provided the services that it was constructed for. It is perhaps one of the few things that I can point to with pride that I did get accomplished in my first year in the Senate of Pennsylvania.

Mr. President, after that Institution was opened it was found that it was not doing what it was built for. This Institution was built mainly as a place to train and teach doctors who were at that time going to the University of Pittsburgh Medical School, and other doctors in the great Western Pennsylvania area, who had never devoted any time to the study of psychiatrics. It appeared then that under the guidance of the State, as many institutions are, that they could not get under their salary schedule the proper persons to really make this Institution the institution that it was built to be. I may add, and I say this very sincerely, the reason I am talking now is to acquaint the Members of both sides of the Senate here who do not know of the grand and great work that this place does.

Mr. President, since this Institution has been taken over by the University of Pittsburgh, at the behest of the Pennsylvania State Legislature, it has become a changed Institution. At the time the University of Pittsburgh trustees were entrusted with the operation of the Western Pennsylvania Psychiatric Institute, there was in this Institution at that time one resident doctor. I am proud to say, Mr. President, that at the present time there are sixteen resident doctors at this Institution and there are thirty-three on the waiting list. This is the only psychiatric hospital in all the United States that has a full staff

and where they have a waiting list. These men, when they are trained, go out to practice psychiatry. Well, I assure you that we do not need that many psychiatrists in western Pennsylvania, even though from the way we may act here in the Senate now and then you might think so, but these men are trained for service in the great mental institutions that we have, the many that we have built and have increased in size under the present building program of the General State Authority.

Mr. President, it is true that the Senate Appropriations Committee acted very wisely when they restored the appropriation to what it was in the original budget. The budget estimate, as submitted to us by Governor Fine, was \$2,500,000, and in the House they cut the appropriation to \$2,300,000. I am very happy that our Senate Appropriations Committee wisely put this back to two and one-half million dollars. I am not speaking tonight, although some may think I am, of this as a part of the University of Pittsburgh. Mr. President, this is not a part of the University of Pittsburgh, other than the Trustees of the University have been asked by the State of Pennsylvania to run this Institute and use it as a place to teach doctors and nurses in the hospital area in great western Pennsylvania. This hospital is located in the hospital center, in the city of Pittsburgh.

Now, Mr. President, the appropriation in this bill has increased from what it was the last biennium, that is true, but when this Institute was taken over by the State, the principals who are entrusted with running the business end of the University of Pittsburgh were asked by us in the Senate Appropriations Committee very factual questions as to how much they thought it would take to run this Institute for the biennium, which ended at the end of May of this year. They very honestly told us that they would be able to operate it at a figure of practically \$1,000,000 per year, but that was due to the fact, Mr. President, that at that time they did not have the staff that they do now. I may again add at this time, if I might, that some of these very eminent physicians who are heading this Institute are not being paid out of this money that we appropriated. The University officials, the doctors in Pittsburgh and the civic-minded people have been able to go out and get enough funds to spend \$150,000 per year over and above the appropriation for payment of the salaries of some of these very eminent men who now head this hospital. The director of the Western Psychiatric Institute and Clinic is the famous Doctor Brosin, who they secured from the city of Chicago at probably a great loss to their institutions, but a great gain to the State of Pennsylvania and western Pennsylvania.

Mr. President, they also secured the services of Doctor Spock. Now, I know everyone who is a father in the room, particularly of any young child, knows who Doctor Spock is, because I think two to three million copies of Doctor Spock's book on how to raise children have been sold already. Mr. President, he is in charge of what they call the Children's Psychiatric end of it. In other words, preventive psychiatry, because it has been proven that many of these cases if discovered in infancy—when I say infancy I do not mean as infants, I mean as a young boy or girl—they can be properly treated and cured. Doctor Spock also operates now with the Children's

Hospital, which is diagonally across the street from the Western Psychiatric Institute and Clinic. Then they secured the services of the famous Doctor Merski, who heads their clinical research. I am sure any of you who know anything about psychiatry know who Doctor Merski is.

Now Mr. President, the University has in the past year made a great capital improvement in this Institution. They had when it was built no place to take care of their childrens' psychiatry. They have had to tear out one floor completely and remodel it at their expense, which is taken out of the general maintenance fund of the University of Pittsburgh. That is now ready to open, and we are fearful if we do not get the amount that I am asking for in my amendment, which is, so the Members of the Senate will know, an additional \$700,000, that they will not be able to carry forward with their childrens program.

Again, Mr. President, through the help of the General State Authority, there is being built in the great hospital center in Pittsburgh a nurses' home, and when that nurses' home is completed, which will be not too far distant, eighty nurses who have had to be housed at this institute will be moved out and there will be eighty additional beds ready for occupancy in this clinic. Now, this clinic is entirely different than Mayview, or Woodville or Torrance or the many mental institutions that you and I know. It is strictly a clinic where they teach not only doctors but nurses, and where these doctors and nurses work on extraordinary cases and administer the newest types of medicine and the newest types of cures in psychiatrics. I only wish that I was a physician and could go more into detail, but I know that that might be a little boring to everyone, other than Doctor Chapman, who would not understand those terms. Even when those eighty nurses move to the new nurses home which is being built partly through the subscription of the people of Pittsburgh and partly by the General State Authority, they will not be able to open those floors and use them with this amount of money.

Mr. President, I say that here we are not saving money by not giving them the amount that they need to run the hospital. You know that the University, as are all universities at the present time, is rather strapped for money. Any money that we give for this institution cannot be used for any other service at the University of Pittsburgh. I feel that the State will save a vast amount of money. You know and I know that out at Mayview and at Woodville, in Pittsburgh, they have twenty-six hundred patients and they have six doctors, and one of them has to handle the administrative work. That means one doctor for each five hundred mental cases. Mr. President, I say that the reason they are not cured and that they are wards of the State and will continue to be wards of the State is that the doctors do not have the time, and it is a human impossibility for them to take care of that many people. Anyone who knows anything about medicine knows the care that must be given, almost individual care, to a mental patient because each and every one has their peculiar idiosyncrasies.

Mr. President, this as I say, now has sixteen residents who are ready now to go out each year, to be absorbed by the State of Pennsylvania, and to work in our various



mental hospitals, and there are thirty-three on their waiting list, something that has never happened in any psychiatric hospital in any other place in the Country.

May I also add, Mr. President, that at present there are two of the residents at the psychiatric hospital who are working at Dixmont while a couple of the interns are down at the Western Pennsylvania Hospital learning the art of psychiatry. I think that you have to look forward over a period of time to realize that the State is making an investment from which it will not only get a financial return, but from a humane viewpoint we are helping people who have been mentally sick who can eventually be restored to society.

Mr. President, I do not like pork-barrel politics, particularly at this time of the Session, and I do not make these remarks with anything of that nature in my mind. I am sure that my colleagues from western Pennsylvania on both sides of the aisle will tell you of the great work that has been done. My hat is off to the officials of the University of Pittsburgh for being able to secure Doctor Brosin, Doctor Spock and Doctor Merski to take charge of the three branches of this institution.

Mr. President, I ask that before the gentlemen on both sides of the aisle vote on this amendment, that they give it every serious consideration. I may add also that at the last meeting of the Appropriations Committee, after the Republican Caucus was over and made their recommendations to the Appropriations Committee, we still save two and one-half million dollars more that evening, and I am positive that the money is in the "till."

Mr. BARR offered the following amendment:

Amend Section 1, Page 1, Line 2 and Page 2, Line 1, by striking out after the word "of" on Line 1, Page 1, the following: "two million five hundred thousand dollars (\$2,500,000)" and inserting in lieu thereof the following: "three million two hundred thousand dollars (\$3,200,000)".

On the question,

Will the Senate agree to the amendment?

Mr. WALKER. Mr. President, do I understand there is a motion to adopt the amendment?

#### MOTION TO ADOPT THE AMENDMENT

Mr. BARR. Mr. President, I move the adoption of the amendment.

Mr. HOLLAND. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, I deeply appreciate all of the very fine things that my friend and colleague, Senator Barr, has said about the Western Pennsylvania Psychiatric Institute and Clinic. We all appreciate it and we are very proud of that institution and, of course, Senator Barr, Senator Fleming, and myself, being alumni of the University of Pittsburgh, are very proud of Pitt and the job that they are doing at this fine clinic.

Mr. President, I want to remind the gentleman from Allegheny that when the bill came over from the House it was cut to \$2,300,000. It took a lot of stellar work but due to the grand cooperation of my colleagues on this side of the aisle, they very courteously and kindly, in appreciation of the very things Senator Barr mentioned here tonight, restored the cut so that it was back up to the budget figure of \$2,500,000.

Now, Mr. President, there is no doubt in my mind that the trustees of the University of Pittsburgh, who are charged with the responsibility of operating this clinic, would be very happy to receive the additional moneys, but in turn I am so proud of their very efficient management that I feel confident that they will be able to discharge the responsibilities thrust upon them with \$2,500,000. Therefore, I must very reluctantly say to the trustees that \$2,500,000 will be the sum total which will be appropriated by the General Assembly for the operation of this psychiatric clinic for the balance of this biennium.

Mr. President, I may say, and I do not think it is violating any confidence, that we have discussed this matter with the officials from the University of Pittsburgh who are directly or indirectly charged with the responsibility of operating this very famous clinic, and I feel confident that they expressed satisfaction with the restoration of the appropriation to the figure which was found in the budget and which is now restored in the bill, and for that reason I must very reluctantly ask my colleagues to vote down the amendment.

Mr. BARR. Mr. President, just one thing I would like to correct. I do not know who Senator Walker refers to when he said he had talked with the officials of the University of Pittsburgh, but I presume that it must have been sometime ago. I think that was probably before they had torn out this floor and set up this children's psychiatric wing, at a material cost to the University of Pittsburgh which did not cost the State one iota, and before they found that the nurses' home was able to get material to be completed and thereby provide eighty more beds. I say to you very seriously, and this I know, that these eighty beds will have to lie vacant, as many beds do in the various State mental hospitals, if the additional sum is not appropriated. I do not say they are going to close the doors, they are going to keep on doing the best job they can, but I say this, that if you give them this additional money, that the State of Pennsylvania will be paid off in dividends, not only in dollars but in people being returned to society in the next few years.

Mr. WALKER. Mr. President, if I might take a leaf out of the book of reminiscences of my colleague from Westmoreland, as my father used to say when he took me out to the woodshed, this is going to hurt me as much as it does you. I sympathize with the gentleman from Allegheny, Senator Barr, and I assure him he has our sympathetic cooperation. I may say to him, so that he will understand, the two gentlemen I talked to happen to be present in the city of Harrisburg and happen to be present in the Capitol Building tonight. As a matter of fact, they are distinguished visitors in the Senate Chamber this evening. I am sure that if he consults with them, they will advise him that within the past week, upon the restoration of the cut, they expressed to me their very deep appreciation for the restoration that I have just enumerated here in the bill.

Therefore, again, Mr. President, I must ask my colleagues to vote down this amendment.

And the question recurring,

Will the Senate agree to the amendment?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. STIEFEL. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BARR and Mr. STIEFEL, and were as follows, viz:

## YEAS—17

Barr,	DiSilvestro,	McCreesh,	Rosenfeld,
Barrett,	Haluska,	McGinnis,	Ruth,
Byrne,	Holland,	McMenamin,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
			Yosko.

## NAYS—24

Berger,	Hare,	Peelot,	Walker
Blass,	Kephart,	Propert,	Watkins
Chapman,	Kessler,	Robinson,	Watson,
Crowe,	Letzler,	Snowden,	Wolfe,
Fleming,	Mahany,	Taylor,	Wood,
Freed,	Pechan,	Wagner,	Wade,
			Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1541, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the Incodel Plan a four-State compact for the distribution among New York New Jersey Delaware and Pennsylvania of the Waters of the Delaware River Basin.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1579, on second reading, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of providing temporary emergency aid under certain conditions to school districts of the third and fourth classes in which housing projects are erected

be recommitted to the Committee on Appropriations, for the purpose of further amendment.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House, Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of

Lancaster Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1654, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Hazleton State Hospital to acquire three tracts of land for the use of the Hazleton State Hospital and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1739, entitled:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## HOUSE BILL No. 714 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 714 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 714, entitled:



An Act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges providing for leaves of absence imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 811, entitled:

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same; and providing for issuance by county treasurers only.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1468, entitled:

An Act to add section 10.1 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three, (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of the public school system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1469, entitled:

An Act to add section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1662, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligation of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1679, entitled:

An Act to further amend the last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1707, entitled:

An Act to further amend section seven of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act "by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### HOUSE BILL No. 1404 RECALLED FROM THE GOVERNOR TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 1404, recalled from the Governor and amended in the House, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school district, in certain cases.

and move a committee of conference on the part of the Senate be appointed.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1404

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WAGNER, KESSLER and YOSKO as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1404.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, December 12, 1951, at 2 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:47 o'clock, p. m., Eastern Standard Time, until Wednesday, December 12, 1951, at 2 o'clock, p. m., Eastern Standard Time.

### HOUSE OF REPRESENTATIVES

TUESDAY, December 11, 1951

The House met at 11:00 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### ANNOUNCEMENT OF DEATH OF MEMBER

The SPEAKER. The Chair announces with profound sorrow the death of the Honorable William J. Yester, representing the ninth district of the County of Allegheny.

As a mark of respect to the memory of our deceased Member, the Chair requests the Members to remain standing with bowed heads at the conclusion of prayer until the gavel falls.

Prayer will be offered by the Reverend Dr. W. Hamilton Aulenbach.

#### PRAYER

Prayer was offered by the Reverend Dr. W. Hamilton Aulenbach, Rector of Christ Church and St. Michael's Germantown, Philadelphia, here today as guest of the Majority Leader, the gentleman from Philadelphia, Mr. Smith.

Almighty Governor of the Universe grant us the wisdom here on earth to govern the people as you would have us do. Help us to honestly, earnestly, and loyally use our political talents. Made in your Image may we be always vital, living examples of your good will for us here on earth. If there is evil in even one of us as we stand fully known in your presence drive this evil out of us that the state be not destroyed and our people ruined. If today even one in this responsible governing body contemplates deception, cowardly compromise of honest convictions, delaying selfish tactics, bribery or graft, voting to his own advantage for vested interests Lord save him and your people! destroy at once such evil within him! drive him penitentially to his knees! then in your great mercy permit him to rise and govern us well for you, Almighty God, in the name of Him who did, Jesus Christ, our Redeemer and Friend. Amen.



## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, December 10, 1951? If not, and without objection, the Journal is approved.

## PENNSYLVANIA STATE COLLEGE SCHOOL OF JOURNALISM WELCOMED

The SPEAKER. The Chair welcomes to the House a Class in the School of Journalism of the Pennsylvania State College, accompanied by Professor Marbut. They are here as guests of the gentleman from Center, Mr. Frost.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

## SENATE BILL No. 350.

An Act to further amend clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof

Referred to the Committee on Townships.

## SENATE BILL No. 415.

An Act authorizing the establishment in The Pennsylvania State College, through the extension services of said institution, an educational program in industrial and labor relations, stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment, and defining its powers and duties; and making an appropriation therefor.

Referred to Committee on Appropriations.

## SENATE BILL No. 869.

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired.

Referred to the Committee on Cities and Counties—Second Class.

## SENATE BILL No. 872.

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State.

Referred to the Committee on Judiciary.

## SENATE BILL No. 877.

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

Referred to the Committee on Counties.

## SENATE BILL No. 881.

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County.

Referred to the Committee on Highways.

## SENATE BILL No. 882.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.

Referred to the Committee on Highways.

## SENATE BILL No. 883.

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

Referred to the Committee on Professional Licensure.

## SENATE BILL No. 884.

An Act to further amend Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the city borough town and town-

ship officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State for registered and unregistered cattle.

Referred to the Committee on Agriculture and Dairy Industries.

#### SENATE BILL No. 885.

An Act to amend Section 608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture.

Referred to the Committee on Game and Forestry.

#### SENATE BILL No. 886.

An Act validating county treasurer's deeds where the acknowledgement of such deed or deeds was defective in any respect or sale thereof not legally returned if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments and return duly made at a subsequent term.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 887.

An Act to amend Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

Referred to the Committee on Judiciary.

#### SENATE BILL NO. 888

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and payment of fees and cost in such cases.

Referred to Committee on Judiciary.

#### SENATE BILL NO. 891

An Act to further amend section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the laws relating thereto" by permitting employes of school districts to serve as councilmen.

Referred to the Committee on Education.

#### SENATE BILL NO. 895

An Act to further amend Section 625 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the payment of expenses to the members of recreation board in counties of the third class.

Referred to the Committee on Counties.

#### SENATE BILL NO. 898

An Act to amend Section 322 of the act approved the

tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and proclial schools amending revising consolidating and changing the laws relating thereto" by further defining eligibility for the office of school directors.

Referred to the Committee on Education.

#### SENATE BILL NO. 904

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and accept and disburse money received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by requiring the posting of list containing the names addresses and amounts of assistance granted to certain persons receiving assistance.

Referred to the Committee on Welfare.

#### SENATE BILL NO. 912

An Act creating a Commission on Reorganization of the Executive Branch of the Commonwealth providing for the membership of such Commission prescribing its powers and duties and making an appropriation.

Referred to the Committee on State Government.

### COMMUNICATION

#### RESOLUTION—PHILADELPHIA

The SPEAKER laid before the House a resolution of City Council of Philadelphia memorializing the General Assembly to enact legislation prohibiting the commercial broadcasting of any television show for which an admission is charged, except of recognized charitable, educational or religious program.

Referred to the Committee on Law and Order.

### PETITIONS

#### PROTESTING PASSAGE OF SENATE BILL NO. 27

The SPEAKER laid before the House petitions numerously signed from members of faculties of universities and colleges of Pennsylvania protesting passage of Senate Bill No. 27.

Referred to the Committee on State Government.

### BILL ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of Senate Bill No. 845, as follows:

An Act to further amend Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania



and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 792) is hereby further amended to read as follows

#### Article XII

#### General Rules

The following general rules shall be observed in every mine to which this act applies

\* \* \* \* \*

Rule 12 The mine foreman or his assistant shall visit and examine every working place in the mine every working day while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props [or] timber roof bolts or such other practical devices as may serve to secure the safety of the workmen and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure and a report of said examination shall be recorded in a book without delay kept at the colliery for that purpose and signed by the person making the same and countersigned within a period of one week by the mine foreman All such reports shall be made and signed at the end of each shift Providing however If the mine is idle forty-eight (48) hours or more the mine foreman or his assistant shall examine every working place the day before operations are resumed and all such entries shall be made and signed in ink in a manner similar to that heretofore described The use of roof bolts in lieu of props or timber as conventionally used shall not be permitted by the owner operator or superintendent of any mine unless permission in writing to do so is first obtained from the secretary of mines the secretary of mines shall grant such permission after he has received the approval of a commission of three mine inspectors one of whom shall be the inspector in whose district the mine for which permission is sought to use roof bolts is located

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. LOUIS LEONARD. Mr. Speaker, as I interpret bill 845, in the mind of the coal miner himself it will be dangerous if this bill becomes a law. I presume that all Members of the House received the same letter I now have in my hand. In case you have overlooked it I would like to read it into the record.

On December the 5th, 1951 I received the following letter from the United Mine Workers of America signed by Lester Thomas, International Representative.

Mr. Louis Leonard  
Mines and Mining Committee  
State Capitol Building  
Harrisburg, Pennsylvania

Dear Mr. Leonard:

Senate Bill No. 845 amending the Anthracite Mine

Law approving the system of Roof Bolting in the Anthracite Mines is, in the opinion of the United Mine Workers, uncertain as a safety measure.

This Bill will allow the mine foreman or his assistant to direct the miner to use roof bolts in any area of the mines he so desires.

We believe this will result in an unsafe practice and will no doubt cause the death of coal miners from roof falls. Unless this Bill is amended to provide for prior approval of the Department of Mines through the Mine Inspectors before Roof Bolts may be used, we take this means of registering our opposition to this Bill.

Very truly yours,

Lester Thomas,  
Inter. Representative

Since beginning to speak I understand the bill has been amended satisfactorily to the miners' union. Can I have that verified?

The SPEAKER. Will the gentleman from Indiana, Mr. Hewitt, permit himself to be interrogated?

Mr. HEWITT. I shall, Mr. Speaker.

Mr. LOUIS LEONARD. Mr. Speaker, has the bill been amended now to satisfy the mine worker himself?

Mr. HEWITT. For the information of the gentleman from Allegheny, amendments introduced were perfectly satisfactory to Mr. Lester Thomas, and everything has been taken care of.

Mr. LOUIS LEONARD. Thank you very much.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McInroy,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Herscht,	Miller, J. C.,	Spencer,
Brelsch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendening,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varner,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBols,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weldner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, R. A.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,

Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker
Goodling,	Maxwell,		

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

### BILLS ON THIRD READING

#### BILLS PASSED OVER

There being no objection,  
House Bill No. 506, Printer's No. 1012,  
House Bill No. 1731, Printer's No. 1051 and  
Senate Bill No. 188, Printer's No. 619,  
were passed over at the request of the SPEAKER.

### RESOLUTION

#### REPORT OF THE SLATE COMMITTEE

Mr. BOWER from the Slate Committee offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 11, 1951.

Resolved, That the following named persons shall be and are hereby elected employes of this House, under the provisions of the Act of January 21st, 1947, P. L. 3, as amended by the Act of February 11th, 1949, P. L. 4 and Act 2, of March 6th, 1951, for the positions as designated, effective December 10, 1951.

#### Chaplain

Rev. William H. Fryer, Chester County

#### Journal Clerk

Joseph H. Siegfried, Lycoming County

#### Reading Clerks

William F. MacDonald, Delaware County  
William C. Bracken, Allegheny County

#### Message Clerk

Frank J. Lillie, Erie County

#### Postmaster

Walter W. Rhodes, Potter County

#### Sergeant-At-Arms

Shad N. Goss, Luzerne County  
George F. Hare, Delaware County  
William A. Sheldon, Wyoming County  
John Y. Dentzel, Armstrong County  
Charles W. Kern, Sullivan County  
Russell E. Espenshade, Philadelphia County  
Charles Radiss, Philadelphia County  
Stephen J. Rzeznik, Schuylkill County  
J. K. Sauserman, Perry County

#### Document Clerks

Calvin G. Cowan, Clinton County  
Joseph R. Feeser, York County  
John T. McGrath, Philadelphia County  
Ralph F. Troxell, Dauphin County

#### Mailing Clerks

Joseph Wicsinski, Philadelphia County  
Cameron O. Stevens, Lehigh County  
Roy J. Erb, Blair County  
Charles A. Lantz, Mifflin County

#### Stenographers

Hilda A. Fuhrer, Northumberland County  
Emily I. Campbell, Bradford County  
Grace S. Gill, Centre County  
Bertha M. Shelley, Dauphin County  
Marie B. Moser, Huntingdon County  
Claudia B. Dieffenbach, Beaver County  
Esther C. Stoner, Cumberland County

#### Telephone Attendant

William A. Riddall, Wayne County

#### Chief Page

Benjamin H. Foltz, Dauphin County

#### Pages

Harold I. Olewine, Jr., Dauphin County  
Howard W. Minnich, Dauphin County  
John Guff, Dauphin County

Respectfully submitted,  
ADAM T. BOWER, Chairman  
JOHN R. HAUDENSHIELD  
HAROLD E. FLACK  
THOMAS H. GREER, JR.  
AMOS M. LEISEY  
FRANK A. COSTA  
IVAN C. WATKINS

### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 959 Printer's No. 919 together with communication from the Senate be taken from the table.

The motion was agreed to.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 959

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of state liquor stores for the payment of certain license fees to the respective municipalities and townships for the abate-



ment of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers distributors and importing distributors

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, Page 2, line 10, by inserting after the word "licenses" the following and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers distributors and importing distributors

Amend the bill, Section 1, Page 3, line 16, by striking out the brackets before and after the word "shall" and by striking out after the word "shall" the words "may in its discretion"; page 5, line 11, by inserting after the word "application" the following Provided that stock inherited by an individual nonresident from a deceased resident owner thereof and stock held by an individual or corporate trustee for the benefit of any individual who is a beneficiary of a trust which is valid under the laws of this Commonwealth shall for the purpose of this subsection be considered as being owned by a resident of the Commonwealth of Pennsylvania so long as it is actually owned by such individual nonresident inheritor held by such trustee

Page 6, line 3, by striking out all of lines 3 to 12 inclusive.

On the question,

Will the House concur on the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarrafa,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boies,	Haudenschild,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Brelschi,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toill,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varnar,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petroosky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,		Pfaff,	Waterhouse,

DuBois,  
Duffy,  
Dunn,  
Erb,  
Ewing,  
Henrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Kubacki,  
Lafore,  
Lederer,  
Lelsey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,  
Maxwell,

Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanske,

Watkins,  
Weldner,  
Welsh,  
Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1553.

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are registered hereunder or in business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by increasing the fees charged by the Pennsylvania Securities Commission

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to ask at this time for an extended recess to 3 o'clock this afternoon. The reason for this recess—we have several reasons—there are many conference reports to be considered by Committees and which are being considered by Committees. There are

amendments to be drawn and considered to important bills

The Republican caucus will meet at 2 o'clock in the Republican caucus room. I would just like to pass this information on because some of the Members have asked the question. On both sides of the House we are doing everything in our power to clean up our work and get home for Christmas.

#### PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, in order that the Democrats may get home by Christmas also, I would like to call a Democratic caucus in the old House caucus room at 2:00 p. m. today.

#### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 3:00 o'clock. The Chair hears none, and a recess is declared.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows

##### HOUSE BILL No. 1644.

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### RECONSIDERATION OF VOTE

Mr. HAROLD G. MILLER. Mr. Speaker, I move that the vote by which Senate Bill No. 788, Printer's No. 464, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and share holders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers; authorizing certain State departments, boards, commissions, or officers to collect for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by requiring

the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund.

was defeated on final passage, September 27, 1951 be reconsidered.

Mr. SCHMIDT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Blair Mr. Miller vote on the final passage of this bill?

Mr. HAROLD G. MILLER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny Mr. Schmidt vote on the final passage of this bill?

Mr. SCHMIDT. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, we have no disposition to oppose this motion to reconsider provided that the bill is not brought before the House for immediate determination.

The SPEAKER. Is it the intention of the gentleman from Blair, Mr. Miller, to ask for a vote on final passage?

Mr. HAROLD G. MILLER. Mr. Speaker, no, it is not. My intentions are to ask consent of the House to offer amendments at this time.

The SPEAKER. Does the Minority Leader have objections?

Mr. ANDREWS. Mr. Speaker, no objections.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Mr. HAROLD G. MILLER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HAROLD G. MILLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, next to last line of Title, by striking out the word "and"

Amend Title, Page 2, last line of Title, by inserting after the word "fund" the follows: "and providing for the repayment of the original deposit in the permanent lot care fund upon compliance with certain conditions."

Amend Sec. 2 (Sec. 209.1), page 5, by inserting after line 18, the following: "Whenever the cemetery or burial corporation shall have deposited in the fund required to be established by the provisions of clause (1) of section two hundred nine, a sum equal to the amount of money required to be originally deposited in the fund required to be established by this section it shall submit proof of such fact to the corporate trustee and it shall be the duty of the corporate trustee to thereupon pay over to the cemetery or burial corporation, the amount so originally deposited by it in the permanent lot care fund, free and clear of the restrictions and limitations of this section.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.



On the question,  
Will the House agree to the amendments?  
They were agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 506 entitled:

An Act to amend subsection (b) of section one and sections two and four of the act approved the seventh day of June one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by further defining employer providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 2), page 3, lines 3 to 7, by striking out the part-word "PRO-" in line 3 and all of lines 4 to 7, inclusive.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. PETROSKY. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Bolton.

The SPEAKER. Will the gentleman from Montgomery, Mr. Bolton, permit himself to be interrogated?

Mr. BOLTON. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, it is my understanding that Mr. Bolton and our late lamented friend, Mr. Boorse, were the sponsors of this bill, House Bill 506, and in its original form, I would like to ask Mr. Bolton if it did not conform to the promises under the Republican platform, namely the promise which states: "We believe that the women's hour law should be amended to provide for equal pay for women doing the same type of work as that performed by men." Is that true?

Mr. BOLTON. Mr. Speaker, yes, that is true. And the bill as amended by the House Committee which handled it does fulfill the promises made in the Republican platform.

Mr. PETROSKY. Mr. Speaker, it was my understanding that the bill did just that prior to the time it was amended in Committee. And I would ask Mr. Bolton if he does not feel that that nullifies the status of the bill as originally introduced?

Mr. BOLTON. Mr. Speaker, I do not so feel. I feel that the Committee made a needed improvement in the bill by its amendment.

Mr. PETROSKY. Mr. Speaker, through many sessions of this body we have argued pro and con upon a bill which would give more than lip service to equal pay for equal work for women. Sponsored in this session on February 27, 1951 was such a bill. However, that has been amended on page 3, line 3, inserting into the bill the words and I shall read:

"Provided that this act shall not be construed to prohibit wage and salary differentials based in good faith on any regularly recognized employment factor or factors, other than sex."

This, in my opinion, nullifies the equal pay for equal work for women. It is a much broader loophole than we have in the present act, and circumstances and true cases have already shown us that it is impossible to secure equal pay for equal work for women under the present act. And the people interested in this legislation, notwithstanding the fact that the head of the state organization of women's clubs has endorsed the bill with the amendments, I say to the membership on the floor of this House that the rank and file of the ladies of those organizations do not think along those lines. They feel that this is the proper time for them to get a good bill, one that means what it says, one that will give them equal pay for equal work, and give them that status for which they have been fighting for years, and the amendment which was offered in Committee certainly does not do that.

Therefore, I am offering an amendment to strike out the clause which I have just read and I would like to have the House support the amendment to put this bill in its original status, to do the job which you have promised the women of Pennsylvania to do for them here in this legislative session. I ask the membership of the House to endorse this amendment at this particular time.

I ask for a roll call.

Mr. BOLTON. Mr. Speaker, unfortunately I am not blessed with Mr. Petrosky's apparent clairvoyance where the female mind is concerned. I have discussed the provisions of this bill and the amendments thereto with various women's organizations and they assure me that the bill meets all their specifications, and the provisions of the Republican platform.

I would like to read the amendment placed in the bill by the Committee a little more slowly than it has been read:

"Provided that this act shall not be construed to prohibit wage and salary differentials based in good faith on any regularly recognized employment factor or factors, other than sex."

I think that that covers the ground quite adequately. I think that it gives plenty of protection to female employees both of the Commonwealth and in industrial activities. And I, therefore, request the House to defeat the amendments offered by Mr. Petrosky.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Petrosky and Mr. Lovett and were as follows:

A verification of the roll was requested by Messrs. Lovett, Snyder and Rose.

The roll was verified and was as follows:

## YEAS—95

Amarando,	Hagerty,	McGee,	Rose,
Andrews,	Hamilton, R. K.,	McNally,	Rosen,
Baumunk,	Headlee,	Mihm,	Rovansek,
Beaver,	Hoggard,	Mikula,	Sarra,
Berkstresser,	Hunter,	Miller, J. C.,	Scanlon,
Bloom,	Jenkins,	Monroe,	Schmidt,
Boles,	Jones, G. E.,	Moran,	Schuster,
Breth,	Jones, J. M.,	Muldowney,	Scott,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Jump,	Musto,	Snider,
Conway,	Kamyk,	Najaka,	Stimmel,
Corr,	Kohl,	Needham,	Swope,
Coyle,	Kolankiewicz,	Olsen,	Swartz,
Dalrymple,	Kornick,	Penglase,	Tahl,
Dougherty,	Kubacki,	Peta,	Taylor,
Duffy,	Lederer,	Petrosky,	Toll,
Dunn,	Leonard, L.,	Pettigrew,	Varner,
Fenrich,	Leven,	Pfaff,	Wargo,
Filip,	Limper,	Pichney,	Welsh,
Filo,	Lopresti,	Polaski,	Westrick,
Flack,	Lovett,	Price, R. A.,	Wheeler,
Gaffney,	Lyons,	Readinger,	Williams,
Good,	Mazza,	Reidenbach,	Yetzer,
Guarnieri,	McDermitt,		

## NAYS—85

Barkdoll,	Goodling,	Madden,	Rubin,
Bear,	Graybill,	Madigan,	Sax,
Blair,	Greenwood,	Markley,	Shotwell,
Bolton,	Greer,	McConnell,	Smith,
Bomberger,	Guthrie,	McCormack,	Sollenberger,
Bower,	Hall,	McCullough,	Spencer,
Brown,	Hamilton, W. H.,	McInroy,	Stank,
Cella,	Harney,	McKinney,	Stoner,
Clapper,	Haudenshield,	McMillen,	Tompkins,
Clendenning,	Helm,	Metz,	Toomey,
Costa,	Hewitt,	Miller, H. G.,	Waterhouse,
Davis,	Hocker,	Moore, C. E.,	Weldner,
Dennison,	Johnson,	Moore, H. A.,	Whalley,
Dowling,	Jones, T. H. W.,	Naugle,	White,
DuBois,	Keller,	Pitzer,	Wilt,
Erb,	Kent,	Price, H. W. Jr.,	Wood,
Ewing,	Kline,	Reilly, J. M.,	Yeakel,
Ferster,	Kratz,	Rigby,	Young,
Firmstone,	Lelsey,	Riley, R. L.,	Ziegler,
Frost,	Leonard, W. C.,	Robertson,	Sorg,
Geer,	Light,	Royer,	Speaker
Gibson,	Lutty,		

## NOT VOTING—25

Banker,	Gutendorf,	Mintess,	Thompson, R. L.,
Beech,	Hersch,	Murray,	VanSant,
Breisch,	Lafore,	Polen,	Varallo,
Cochran,	Loftus,	Reagan,	Verona,
Cooper,	Maxwell,	Reese,	Wachhaus,
Gleason,	Mills,	Shoemaker,	Watkins,
		Thompson, E. F.,	Wescott,

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

On the question,

Will the House agree to the bill on third reading as amended?

## MOTION TO RECOMMIT

Mr. BOLTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for further study.

On the question,

Will the House agree to the motion?

## MOTION TO RECOMMIT WITHDRAWN

Mr. BOLTON. Mr. Speaker, upon the advice of the Parliamentarian I withdraw my motion to recommit.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## SENATE BILL NO. 27 TAKEN FROM TABLE

Mr. WATKINS. Mr. Speaker, I move that Senate Bill No. 27 Printer's No. 615 be taken from the table.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I desire to make a general statement in connection with the motion to take from the table, to cover a number of matters, using the present motion as a spring board from which to address the House.

The SPEAKER. The gentleman understands that a motion to take from the table is not debatable?

Mr. ANDREWS. I understand that, Mr. Speaker.

The SPEAKER. Would the gentleman desire to make his statement after putting the question on the motion?

Mr. ANDREWS. Mr. Speaker, I would like to make my general statement before the vote of the House.

## PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not oppose this motion to take Senate Bill 27 from the table. I hope that no considerable number of Members of this House oppose the motion. The question involved in the bill upon which we will shortly be called to pass are so vital, so fundamental, that we should not evade our manifest responsibility for facing them.

I want the House to know as a whole, as many Members of this House do know, that at no time have I personally opposed an honest loyalty oath bill. I have insisted that I could not ask my caucus to endorse a measure which while properting to be a loyalty oath measure was a back door insidious attack upon teacher tenure.

I desire further to clarify, for the benefit of the members of the Democratic caucus, certain developments and the failure of certain ideas to develop.

First of all this bill has been written and re-written some six or seven times. It has been re-written so many times and it has progressed at such a rapid rate that not even its parent now knows all of the provisions that are contained in his legislative child. The changes have been so rapid and so numerous that not one out of the hundreds of the people that appear for and against this measure are acquainted with its specific provisions.

It was known, Mr. Speaker, that amendments would be offered to this bill. The matter was discussed as to whether or not in order to conserve the time of the House, the amendments to be offered by the minority to this bill and the amendments to be offered by the majority party, after having been explained upon the floor, should be referred to the Committee, as a result of motion to recommit was made the bill would be reported back to this House. We thought, and I still think if we had a better bill it would not be quite as bad as it is now, if the committee quietly had had the opportunity to deliberate concerning the merits of the respective amendments that would be offered.

I agree and I asked my caucus to agree that if a motion to recommit was made with the understanding



that the bill would be re-reported to the floor, that we would not resist the motion to recommit, indeed, we would support it.

However the idea of recommitting the bill failed I understand to meet with favor in a majority party caucus. They prefer to discuss the amendments upon the floor without reference to the Committee, a procedure which is quite all right as far as I am concerned and I think quite all right as far as those in favor of the amendments that will be offered by the minority are concerned. I just want everybody to know that at no time have we taken a position against an honest loyalty oath bill; at no time have we been disposed to evade determination of this issue. We have believed that the proceedings could be shortened and a better bill obtained if all the amendments had been referred to the Committee for discussion, but since the majority party desires to discuss them upon the floor we accept their decision.

On the question recurring,

Will the House agree to the motion to take the bill from the table?

It was agreed to.

### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 27, entitled:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees including teachers and other employees of the public school system and officers and employees of state-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employees prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to state-aided institutions or learning requiring statements under oath or affirmation of candidates for elective public officers and imposing duties on state and local appointing authorities and certain other state officers.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I would inquire concerning the status of the majority party amendments to this bill.

It has been explained to me that they are not as yet available. I would like to know when those amendments will be available, and I emphatically object to a procedure which forces us into a discussion of minority party amendments in the absence of any knowledge as to what the majority party proposes to submit to the House.

Mr. TOMPKINS. Mr. Speaker, the amendments which we propose to offer from this side of the House are ready over in the Legislative Reference Bureau and there is a boy on his way over there for them at the present time. We will submit copies just as soon as they arrive here.

Mr. ANDREWS. How soon, Mr. Speaker, will they arrive?

Mr. TOMPKINS. Mr. Speaker, I said there is a boy on his way over there for them at the present time. They should be here very shortly.

Mr. ANDREWS. Mr. Speaker, if he is on his way, why

make this bill a special order of business and determination in the next five minutes? I would like to have a copy of the majority party amendments before this discussion begins. I think according to all the traditions of the House I am entitled to a copy in addition to the member of the minority who is offering amendments.

Mr. TOMPKINS. Mr. Speaker, we will submit copies just as soon as they arrive.

Mr. ANDREWS. Mr. Speaker, then I request that the House be at ease until the copies do arrive.

The SPEAKER. Without objection, the House will be at ease pending the arrival of the amendments.

(After the arrival of the amendments)

The SPEAKER. The House will be in order.

On the question,

Will the House agree to the bill on third reading?

Messrs. READINGER and SCANLON asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 2, page 3, line 4 to 8 inclusive, by striking out all of said lines.

Amend Sec. 2, page 3, lines 9 and 10 by striking out the words "engages in or".

Amend Sec. 2, page 3, lines 10 to 12 inclusive, by striking out the words "abets advises or teaches or a purpose of which is to" in line 10, all of line 11, and the words "throw destroy or alter or to assist in" in line 12.

Amend Sec. 2, page 3, lines 12 and 13, by striking out the words "destruction or alteration of the constitutional form".

Amend Sec. 2, page 3, lines 18 to 20 inclusive, by striking out all of said lines.

Amend Sec. 2, page 4, lines 1 to 18 inclusive, by striking out all of said lines.

Amend Sec. 2, page 5, lines 2 and 3, by striking out the words "destroy alter or TO assist in the overthrow destruction or alteration of".

Amend Sec. 2, page 5, line 7 by striking out the words "or a foreign subversive organization".

Amend Sec. 3, page 8, lines 5 to 9 inclusive, by striking out the words "nor any person as to whom on" in line 5, all of lines 6, 7, and 8 and the part word "vania" in line 9.

Amend Sec. 3, page 8, line 15 by inserting after the part word "wealth" the following: "unless such person shall".

Amend Sec. 4, page 8, line 16 to 20 inclusive, by striking out all of said lines.

Amend Sec. 4, page 9, lines 1 to 18 inclusive, by striking out all of said lines.

Amend Sec. 5, page 12, line 4 by striking out the figure "5" and inserting in lieu thereof "4".

Amend Sec. 5, page 12, line 8 by striking out the word "November" and inserting in lieu thereof "March".

Amend Sec. 5, page 12, line 9 by striking out the word "fifty-one" and inserting in lieu thereof "fifty-two".

Amend Sec. 5, page 12, lines 13 to 20 inclusive, by striking out the words "and every" in line 13 and all of lines 14 to 20.

Amend Sec. 5, page 13, lines 1 to 9 inclusive, by striking out all of lines 1 to 8 inclusive and the word "to" in line 9.

Amend Sec. 5, page 13, line 12 by striking out the word "following".

Amend Sec. 5, page 13, line 12 by inserting after the word "form" the following: "as set forth in section three hereof".

Amend Sec. 5, page 13, lines 13 to 20 inclusive, by striking out all of said lines.

Amend Sec. 5, page 14, lines 1 to 11 inclusive, by striking out all of said lines.

Amend Sec. 6, page 14, lines 16 to 20 inclusive, by striking out all of said lines.

Amend Sec. 6, page 15, lines 1 to 19 inclusive, by striking out all of said lines.

Amend the Bill, page 16, lines 1 to 20 inclusive, by striking out all of said lines.

Amend Sec. 7, page 17, lines 1 to 19 inclusive, by striking out all of said lines.

Amend Sec. 7, page 18, lines 1 to 20 inclusive, by striking out all of said lines.

Amend the Bill, page 19, lines 1 to 18 inclusive, by striking out all of said lines.

Amend Sec. 8, page 20, lines 1 to 19 inclusive, by striking out all of said lines.

Amend the Bill, page 21, lines 1 to 20 inclusive, by striking out all of said lines.

Amend Sec. 9, page 22, lines 1 to 19 inclusive, by striking out all of said lines.

Amend Sec. 9, page 23, lines 1 to 18 inclusive, by striking out all of said lines.

Amend the Bill, page 24, lines 1 to 19 inclusive, by striking out all of said lines.

Amend the Bill, page 25, lines 1 to 19 inclusive, by striking out all of said lines.

Amend Sec. 11, page 26, lines 1 to 4 inclusive, by striking out all of said lines.

Amend Sec. 12, page 26, line 5 by striking out the figure "12" and inserting in lieu thereof "5".

Amend Sec. 12, page 26, line 7 by striking out the word "May" and inserting in lieu thereof "June".

Amend Sec. 12, page 26, lines 7 and 8 by striking out the word "fifty-one" and inserting in lieu thereof "fifty-two".

Amend Sec. 12, page 26, line 12 by striking out the word "September" and inserting in lieu thereof "April".

Amend Sec. 12, page 27, lines 7 to 11 inclusive, by striking out the words "the report required hereby" in line 7 and all of lines 8 to 11.

Amend Sec. 13, page 27, line 12, by striking out the figure "13" and inserting in lieu thereof "6".

Amend Sec. 14, page 28, line 16 by striking out the figure "14" and inserting in lieu thereof "7".

Amend Sec. 15, page 29, line 19, by striking out the figure and words "15 specific repeals" and inserting in lieu thereof "8 Saved from Repeal".

Amend Sec. 15, page 30, line 13 by striking out the words "hereby repealed" and inserting in lieu thereof "saved from repeal".

Amend Sec. 15, page 31, lines 2 to 5 inclusive, by striking out the words "repealed insofar as it au-" in line 2 and all of lines 3, 4, and 5 and inserting in lieu thereof "saved from repeal".

Amend Sec. 16, page 31, lines 6 to 13 inclusive, by striking out all of said lines.

Amend Sec. 17, page 31, line 14 by striking out the figure "17" and inserting in lieu thereof "9".

Amend Sec. 17, page 31, line 15 by striking out the word "November" and inserting in lieu thereof "February".

Amend Sec. 17, page 31, line 16 by striking out the word "fifty-one" and inserting in lieu thereof "fifty-two".

Amend Sec. 14, Page 29, line 8 by striking out the words "No Price-".

Amend Section 14, line 9, 10 to 11 by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. READINGER. Mr. Speaker, in offering these amendments to Senate Bill 27, the so-called Pennsylvania Loyalty Act, I would like to make very clear at the outset that I am not speaking as a representative for

any particular group. I am not representing the teachers, I am not representing any Legionnaires, or members of any veterans' organizations. I am only speaking as one of the Members of this House who is very much concerned about this bill, its enactment and the form in which it is finally enacted.

I also would like to make clear that I have not the slightest doubt of the loyalty or the integrity of any person in this House who is going to take a position on one side or another of these amendments. Nor do I have the slightest doubt about the loyalty of those who have sponsored this bill up to this present point and who may not see eye to eye with me on what terms should be included herein. I hope you believe that I am a loyal citizen of the United States and of Pennsylvania and that I, too, speak from an honest conviction on what I think is right in this matter. And on that basis I have offered these amendments, together with Mr. Scanlon of Philadelphia and I will, with your permission, discuss them so that we may all clearly understand what they mean and what we are seeking to do.

As has been said before, this Senate Bill 27 has been rewritten probably more than any other piece of legislation which has come before us this session. There is nothing wrong with the fact that it has been rewritten so often, because it is an important bill, and important bills frequently require a lot of revision and a lot of thought. There have been public hearings held on this bill. There have been probably thousands and thousands of pieces of literature sent to us Members of the House and to the Senate by various organizations which are interested in the measure.

As a result of study of these various letters, pamphlets, and so forth and discussion with people who are affected by this bill, or will be, I have had prepared these particular amendments which are now before you.

In effect what they do to the bill is this: they allow to remain in the bill the definition of a subversive organization which now reads that

"Subversive Organization" means any organization which advocates the overthrow of the government of the United States or the Commonwealth of Pennsylvania or of any political subdivision of either of them by force or violence."

The bill by its amendments also defines subversive person as follows:

"Subversive person means any person who commits, attempts to commit or aids in the commission, or advocates, abets, advises or teaches by any means any person to commit, attempt to commit or aid in the commission of any act intended to overthrow the constitutional form of government of the United States or of the Commonwealth of Pennsylvania or or any political subdivision of either of them by force or violence or who is knowingly a member of a subversive organization as defined in this act."

The amendments then provide that before any person, including teachers, shall be eligible for employment in this Commonwealth, or by any of its political subdivisions, all such applicants shall take the oath which is as set forth in this bill—the original bill. That oath reads as follows—I think it is important enough to read it right into the record. It reads:

"I (the person then inserts his name) do solemnly swear (or affirm) that I will support, obey and defend



the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of (whatever the office is or the job is) with fidelity. And I do further swear (or affirm) that I do not advocate nor am I knowingly a member of any organization that advocated the overthrow of the government of the United States or of this Commonwealth by force or violence or other unconstitutional means, or seeking by force or violence to deny other persons their rights under the Constitution of the United States or of this Commonwealth. And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Commonwealth of Pennsylvania (or political subdivision thereof)."

The bill then goes on, by virtue of these amendments, to provide that all present employees including teachers shall take this same oath. And provides that if a false oath is taken or if someone violates that oath after it is taken, they shall be subject to the penalties provided for perjury. As I recall those penalties in the present statutes of Pennsylvania, they provide for a fine of up to \$3,000, a jail sentence of up to 7 years or both.

The bill as amended by these present amendments would keep in the bill, would continue as a provision of it the fact that state-aided institutions of learning should not receive their appropriation from the state unless the head of the institution files a report with the Governor stating what he has done, what procedure he has followed to ascertain whether there is anybody in the employ of the school who is a subversive person. That is as now appearing in the bill.

The amendments further save from repeal the Act of 1941 Pamphlet Law 530, which prohibited the employment of any person by the Commonwealth or any political subdivision thereof, including school districts, who is an un-American or subversive person. That has been on the books since 1941. In the present bill as it is before you the repeal of that Act is sought on the theory that the bill supplies that in some other way. But since I am removing certain sections of the bill, I am proposing by these amendments to keep the Act of 1941 in effect.

I am also proposing by these amendments to keep in effect the Teachers' Tenure Act insofar as it relates to dismissal for un-American activities or being a subversive person. The latter law was passed in 1941 and the present bill before you, without the amendments, would repeal both of those.

In effect, what you have before you with these amendments is a real loyalty oath bill, without the parts of the bill which would lend themselves to witch hunting.

I would like to point out to you that in Section 3 of the bill, which I am removing in part, it is provided concerning eligibility for employment that no subversive person as defined in this act nor any person as to whom on all the evidence there is reasonable doubt concerning his loyalty to the government of the United States or the Commonwealth of Pennsylvania, shall be eligible for employment and so forth.

The thing I found most objectionable in this bill as it appears before you without the amendments is this clause concerning reasonable doubt. Reasonable doubt is not defined in the act and I do not see how it could be, because reasonable doubt on the part of an appointive author-

ity is a personal matter. What might be a reasonable doubt to me might not be a doubt in any respect to you. I say it is incapable of definition in an act of this kind.

However, if the bill passes without these amendments it is going to be possible to take a present employee, whether he be a civil service employee or a school teacher under the tenure act and it is going to be possible at almost any time this is in effect to harass such a person until he throws up his hands and quits his job.

There has been a lot of discussion around the House today about other amendments which may be offered later on concerning the right of appeal to the courts, an appeal de novo, which means a new hearing before the Court of Common Pleas of your county where you live or work, after the administrative hearing.

I would like to point out to you before you vote on these amendments that under the present law all state and municipal employees who are not under civil service or who are not under the teachers' tenure act may be fired at will by the appointing authority. Then you give your reason. They need have no reasonable doubt as to loyalty, they may simply decide without any further ado or hearing or anything else that John Smith or whoever they happen to have in mind is not a fit person and they can fire him summarily.

I have not been able to get the figures, but it is my guess that about 90 per cent of all state employees exclusive of school teachers,—and of course they are not state employees, they are simply aided by state contributions. But about 90 per cent of all state employees, and I believe municipal employees also, are not under civil service protection of any kind. You do not need this bill as far as they are concerned. You do not need any part of this bill or the amendments as far as they are concerned; you simply get rid of them if you have any reason to do so.

Now we move on to civil service employees and teachers. We may have forgotten that many people enter the service of the government because they can become a civil service employee or they can become a teacher protected by the tenure act. Many people have and many people will in the future join the state and the local services and contribute their talents to the services mainly because they have some form of security, and they know that if they devote their attention to their work and give it the time it should have they are going to be fairly safe in that job. In other words they have a star to follow, they have something to hope for. Under the teachers' tenure act and under the teachers' legislation they have a salary increment to look forward to. They have something in which to better themselves. They can get more money now if they go to college and get a master's degree.

Under this bill as it is now set up without the amendments, if any appointing authority of a teacher or a civil service employee decides to get rid of him, he can prefer charges and with a hearing on the administrative level he can, as I said before, harass the person so much that the person is very liable to just quit and remove himself from the appointing authority's presence.

Of course under the present law there is an appeal to the Dauphin County Court as I recall it from the decision of an administrative agency such as the Department of

Public Instruction, or the Superintendent of Public Instruction, or the Civil Service Commission, but let me tell you that those appeals are very, very narrow, and if a person has not had a really fair hearing before the administrative agency his appeal may come to naught when he goes to court.

What the Act of 1945 and the Act of 1941 which these amendments of mine would preserve and provide for is a real hearing in court de novo so that a person has a right to be there with counsel to cross examine the witnesses who appear against him, and he really and honestly has his day in court. That is what we want. We do not want anybody, whether he be a teacher or whether he be a civil service appointee in a position where he must fear constantly what he is thinking or what he is saying.

I am not going to take enough time to state a lot of examples but it is very easy for me to conceive of a teacher in some high school in the state of Pennsylvania who is firmly convinced that if we would for example give more aid to France in a certain instance, that it might help to combat the influence of Communism in that area. That thought expressed by the high school teacher might be directly contrary to what the Federal administration's policy is at the moment. Or it might be very much contrary to what his appointing authority thinks is right or wrong. That could be the basis for a reasonable doubt in the mind of the appointing authority as to that teacher's loyalty. He might take the position that this man is a subversive person because he has the audacity to teach what he thinks is right in that particular instance.

Maybe that is not a good example. You could probably think of many others yourself which would be better. But I am trying to make a point of the fact that you cannot hamper people's minds and I am speaking at the moment particularly about teachers; you cannot hem them in by the fear that they are going to be dismissed on somebody's reasonable doubt as defined in this bill and hope that when he gets to court some day he will be vindicated and justified, and so forth.

If you are going to do that, as you will with this bill, then you are going to destroy the academic freedom, the ability and the right to teach things as the teachers in our Commonwealth see them,—and I am speaking now of teachers who are completely loyal and honest and decent. People who do not even know a Communist, and I personally do not know one myself, but I can imagine if I were teaching some subject I could very easily run afoul of this reasonable doubt clause.

I say to you,—and I am going to conclude very soon, that we do not need any witch hunting provisions such as are now contained in this bill to ferret out Communists and other subversive persons. There is every provision now in the law, plus this loyalty oath which I am proposing to be enacted, to get rid of people whether they be in the schools or in the civil service of the Commonwealth of Pennsylvania. We do not need this thing; it is creating a dangerous situation. It may not appear to you today to be dangerous, it may appear to you that I am boxing with shadows here but that just is not so. People who have taught for years in this Commonwealth, who have probably never been out of the United States, and as I said, do not even know a Communist and have the greatest contempt for anything that has to do with Com-

munist, are bitterly opposed to this bill as it is now being presented to you without these amendments.

I have not really spoken to the teachers to find out whether or not they like the oath which I am proposing be left in the bill. It is my opinion that nobody in this Commonwealth should hesitate to take such an oath or to affirm that to be the truth. If they do say they will not take it, then I say they should be dismissed from whatever job they are holding under the Commonwealth or any political subdivision. We want loyal people working for the State and the municipalities and the school boards, and we are going to see that we do have such people. In my opinion practically everybody in the Commonwealth who now has a job is loyal. There are probably some disloyal ones who will be brought to light in the future, and I too want to see them brought to light, but I do not want to do it in the way that this bill proposes.

Somebody said in relation to some other matter not so long ago that it is bad when a wasp sits on a baby's head, but it is a lot worse to kill the wasp with a hammer while it is sitting there.

In my opinion that is about what you are doing with this Pechan Loyalty Bill unless it can be amended. I ask the support of these amendments because I think that in the days to come we are going to be ashamed of ourselves if we pass this Pechan Bill the way it is today.

These amendments do not take away the purpose of it, they do not destroy the purpose which the sponsor is seeking to accomplish and in my opinion they are not going to put the fear of God into all of our good employes in the Commonwealth of Pennsylvania and let them shiver until such time as the axe falls on their heads for no reason whatsoever.

Mr. TOMPKINS. Mr. Speaker, I wish to reiterate what the gentleman from Berks started his remarks with, that this bill is before this House today not as a Republican measure or a Democratic measure, not a measure of any particular pressure group or organization in the state of Pennsylvania.

I am going to ask that you view this bill from the standpoint of being an American. I, too, agree with him that this bill has been before this session of the General Assembly since its early adys—if I can remember back that far—that it had many opportunities for amendment, changes, alterations and what have you. There never seems to appear any finality to it. That is what we are seeking today—some final determination one way or the other on this bill. Either it will rise on its merits as it is written and amended or it will fall.

The amendments offered by the gentleman from Berks in plain language "guts" the bill. It leaves nothing upon which you can determine who is a subversive—or to define what is subversive, or to provide any procedure to bring that man to task in case those things are found out. It leaves nothing but an oath.

I will agree with the gentleman from Berks that were we not in a national emergency, I doubt—I know this bill would not be before this General Assembly this session. But the President of these United States declared sometime ago that we are in a national emergency. This bill is designed to protect America during that period of emergency.



The same employe about whom we are talking in this bill can be lifted out of his place of employment by your Draft Board and sent into the army. Yet we do not say anything about that. We find no one making any argument about taking that man right out of his job, whether he is subversive, non-subversive or what have you. They can take him right out of that job and put him in the army and they can send him across the pond and he can be killed. Yet we say nothing about that.

That same employe about whom we are talking in this bill can engage in a private business on the side and they can fix his prices and they can tell him what he can charge for his products and if he does not, they will yank him into court. You see it in the paper day in and day out. Yet we say nothing about that.

But when we try to bring under the provisions of this bill an employe who is knowingly advocating the overthrow of the government which we are trying to preserve, we can create the greatest hubbub and furor that I have ever seen in my days in the General Assembly. And if they can do it in one case while we are in a national emergency, I say they can do it in all cases while we are in a national emergency.

As to the reasonable doubt provision in the bill, let us remember that the subject of reasonable doubt applies only in cases of criminal procedure. When an employe has a charge filed against him under this bill it is not a criminal charge. Therefore, the rule of evidence regarding reasonable doubt does not apply in those cases. And our own Supreme Court of the United States has established as a rule of law in cases of this kind that reasonable doubt is a rule which may be applied.

Now the fundamental thing in this bill is that we have some right to say something about the people who receive their compensation from public funds. That is fundamental. If it takes in a state employe, well and good. If it takes in a county, a municipal employe, well and good. If it takes in a teacher, well and good. If it takes in a candidate for public office, well and good. They are all thus subject to the fundamental fact that we are trying to regulate that class of people who receive their compensation from public funds. And public funds, of course, as you all know or should know are derived from taxes. It is becoming a fundamental thing that before long I think the taxpayer should have something to say about how his money is spent.

I also think that when a person goes before any Department of this Commonwealth of Pennsylvania, he has a right to know that he is dealing with an American in his business with that government.

That is the principle in this bill. That is the backbone of this bill. If you adopt the amendments which have been offered by the gentleman from Berks, you will destroy the very fundamental purpose of the bill.

Now he has mentioned something regarding appeals to the courts. We have amendments which we propose to offer which will grant that right of appeal to the courts de novo, which means that that person will have the right to go into the courts and have his entire case heard by the court as if it had been heard by no prior body.

And with the procedure that is in the bill, there are a great number of cases that will be cleared up without the necessity of clogging up court calendars by going that far, as has happened in many cases.

Therefore, I ask the Members of this House to vote against the amendments which have been offered by the gentleman from Berks. I might state this, however, that there are some dates contained in his amendments which will likewise be contained in the amendments which we are proposing to offer, but his amendments have been offered as a whole. Therefore, we are asking that you either vote for the amendments as a whole or vote them down as a whole. And we are asking that you vote down the amendments.

Mr. READINGER. Mr. Speaker, in the remarks of the gentleman from Cameron, he spoke about the draft laws taking employes away from the Commonwealth and the municipalities, school boards; he has spoken about the price laws which affect the persons making a living in the manner in which they have been doing, and other things which affect a person. We have no quarrel with that and we do not think that there is anything that should be said in this bill about those things. Who denies the right of any government to call us into the service if they need us to fight, to defend ourselves? That is fundamental. I do not think it has any place even in this discussion. I do not object to the gentleman mentioning it, but I think it is out of place.

We have no quarrel either with the idea that public employes should be loyal to the government for which they work, and that the public is entitled to know when it pays people that they have loyal employes. That is one reason why we are saying let them take this oath. Make them take it. And if they do not take it, as my amendments provide, they are to be discharged.

Mr. Tompkins has said that these amendments destroy the purpose of the bill. I have said they do not. Now, I certainly leave it to your good discretion to determine whether he is right or whether I am right. I have tried carefully to point out to you that the present law, the Act of 1945 and the Act of 1941, already provide for an appeal de novo to the courts of this Commonwealth. In a few minutes after these amendments have been acted upon you will perhaps be asked to vote to place into this bill the very same thing that is now part of the law of Pennsylvania. I do not think Mr. Tompkins will dispute that fact. The Teachers' Tenure Act clearly provides for an appeal de novo to the courts of this Commonwealth, the Common Pleas Courts, after the Superintendent of Public Instruction has turned them down.

As a matter of fact, I looked at the amendments which he speaks about and which he will propose shortly, and the very words of the amendment which he will propose to allow an appeal de novo to the courts have been taken from the Teachers' Tenure Act of 1941.

I simply see no purpose in taking a statute which is now part of the law of Pennsylvania and adding it to this loyalty oath bill and saying now we have a fair bill. If you take my amendments you are going to have exactly the same thing, as far as court appeals are concerned, as you will get if you accept Mr. Tompkins' amendments.

One more thing I would like to mention and then I will not debate this bill any further. Mr. Tompkins has said there has been a lot of furor and hubbub about this bill. I do not know exactly what the two words "hubbub" and "furor" mean. If he means by that that a lot of



people are interested in the bill then I will agree with him. But to me that is not hubbub or furor. When we are asked to pass on a measure as important as this, something which history has indicated could be the first step towards the very kind of government we do not want, the kind we are fighting against, the so-called police state, where people are accused of things and harassed and annoyed and probably forced out of work on an administrative level without getting a fair hearing anywhere along the line, as I said before, because of somebody's reasonable doubt, if we are going to start down that road, then I want to be here protesting against it. I think if we accept this bill as it is now drawn, without the amendments, we are starting down the wrong road and we are going to regret it in the future.

Mr. TOMPKINS. Mr. Speaker, I merely wish to clear up a point that the gentleman from Berks has raised. That is, that the principle is the same, is denying a person the right to a job as it is to take him out of that job and put him in the service or regulate his prices. The fundamental principle is there, no matter how you look at it or under what circumstances it comes. I am trying to discuss the principle when I do that.

So far as the appeal to the court is concerned, it is true that we use the language of the Teachers' Tenure Act, but if we adopt Mr. Readinger's amendments we also cut out the definitions of which constitutes a subversive person, subversive organization, and all the preliminary procedures which you have prior to that time.

This amendments go far, far beyond the amendments we propose to offer.

Mr. SEYLER. Mr. Speaker, before I say anything else I would like to refute the statement made by the gentleman who last spoke, to the effect that the bill as it would be left by the amendments of Mr. Readinger would not contain a definition of a subversive person or a subversive organization. Mr. Readinger stated specifically and the amendments which Mr. Tompkins has had time to look over state specifically that those definitions would be retained in the bill.

I have heard over the last week end, and perhaps many of you have been privileged to hear the same speeches, a series of speeches given by organizations in favor of this bill, and I noted that all of the speeches were the same although they were given by different individuals and no acknowledgement was made of authorship of them. They were given in the name of organizations and I assume they were the official stand of those organizations.

In all of the discussions in those speeches I heard no reference to anything in this bill beyond a loyalty oath. It was referred to as a loyalty oath bill. No mention was made of firing on suspicion, of suspending rules of evidence, of not giving appeal to the court, and so on. I look upon the amendments offered by the gentleman from Berks as a test of good faith of the organizations that have been appealing to the people to support this bill. Because in truth the bill as it will stand after Mr. Readinger's amendments are passed will be a bill which contains a loyalty oath.

The gentleman who spoke in opposition to the amendments stated that the bill would be eviscerated. I used the word "eviscerated," it means the same thing as the word the gentleman across the aisle used but I consider

the word "eviscerated" a slightly more parliamentary word than the one he used. He said that the bill would be eviscerated if this action was taken. That is not true if the purpose of the sponsors of this bill is the purpose which they claim, namely, to have a loyalty oath bill; because the loyalty oath will be retained in the bill and some of the more obnoxious features will be stricken out.

I would call your attention to the fact that although the gentleman from Berks assured you that he spoke for no organization, and I am sure that is true, he does meet the specifications, the requests of one of the most important organizations which is opposing this bill, namely the Pennsylvania State Education Association. All of you have received letters in which the PSEA asked for certain changes to be made in the bill. There were four of them listed. As the bill would stand after the amendments of the gentleman from Berks were adopted, the bill would meet that request. Anything less than meeting that request, it seems to me, is leaving a bill that those people who are opposed to the bill at present have no choice but to vote against the bill.

I would assume that the sponsors of this bill and its proponents are not anxious to have a bill passed by a small majority. I think they would like to have a bill that a large number of us in this House would agree on. If they are sincere, the amendments just offered by the gentleman from Berks, it seems to me, would meet that test.

The gentleman from Berks has mentioned that the present laws are adequate with the addition of this loyalty oath to carry out the purposes of the proponents of the bill. That is true.

I do not know whether all of you are familiar with the tenure act and with the act of 1941 which provides for the dismissal of public employees. I would like to read to you briefly from the tenure act.

"The only valid causes for termination of a contract heretofore or hereafter entered into as a professional employee shall be immorality, incompetency, intemperance, cruelty, persistent negligence, mental derangement, advocacy of or participating in un-American or subversive doctrines."

Now, that seems to me is clear enough as far as the teacher tenure law is concerned and makes it possible for any person who advocates or participates in subversive or unAmerican activities to be dismissed. The same thing is true of the 1941 law which applies to all employees of the Commonwealth or any of its municipalities.

It reads as follows:

"No person who hereafter advocates or participates by an overt act, acts of unAmerican or subversive doctrines, shall be permitted to be employed in any capacity by any department, board, commission or other agency of this Commonwealth, or any county, city, borough, incorporated town, township, school district, vocational school district, or institution district thereof, or any authority or institution which is supported in whole or in part out of public funds."

This seems to be ample coverage to take care of any subversive or unAmerican persons who might be in the employ of the Commonwealth or any of its subdivisions. All that we need, in other words, is an enforcement of our present law. If there are any such people they can be taken care of. If you think the law does not work, there



is on record a case in which an employe was, a school teacher was discharged from employment under the terms of that provision.

The gentleman equivocated the privilege to serve his country in the armed forces with being thrown out of employment under this tenure act. To me it has always seemed one of the greatest privileges that a man had was to serve his country, to be called in time of danger to go to its defense. To make that equivalent of being thrown out in disgrace on a suspicion because somebody has a reasonable doubt and a loss of employment seems to me a terrible distortion of the facts. To me it seems the cases are totally different because in one case a man is doing an honorable thing, perhaps one of the most honorable things that a man can do, namely, to serve his country in time of need. In the other case, perhaps on just spite or at any rate something which provides a reasonable doubt in somebody's mind, he is thrown out of employment and he is in disgrace.

It was said that this is not a criminal action and under this bill there is not a criminal charge involved, but I would point out to the gentleman that this is an academic point to anybody who is thrown out of employment under this bill because certainly there is a penalty provided. The penalty is losing one's employment, the employment which one has spent half of one's life preparing for, and making it practically impossible for a person to ever regain that employment. If a person is guilty of unAmerican acts or subversive acts, well and good, but as long as there is a possibility under this bill that this might happen to an innocent person, I still say it is an academic point to the person who suffers. Whether it is a criminal charge or not under this bill, he still suffers a very dire penalty.

Then the gentleman says that in any case there will be an appeal under his amendments. I would like to ask the gentleman what happens to the man who is fired out of employment on a reasonable doubt during the time that he is waiting to receive his hearing from the courts? What is going to happen to his wife, his family, his children? And finally, what is going to happen to his reputation, because if this bill allows him to be branded upon the reasonable doubt provision his reputation is forever tarnished. Our law is certainly as much interested in protecting the innocent as it is in detection of the guilty.

Then because a man receives his wages from public funds, there was an implication, it seemed to me, in the last gentleman's remarks that because he receives his wages from public funds you can do just about anything to him. If that is the case, it is going to be very hard to attract estimable and worthwhile people to take any public employment. Public employment should be an honored position. A man should not be a lower caste citizen because his interest leads him into public employment. He should have all the rights and all the protection that any citizen enjoys. He should be a first class citizen.

To my mind, the reasonable doubt provision which is stricken out by these amendments is the heart of the obnoxious features of this bill. Upon its retention depends whether this bill will be really a loyalty oath bill or whether it will be a bill which strikes many of us as being in itself unAmerican in that it takes away from

American citizens rights which they deserve to have as American citizens.

So I repeat it seems to me the gentleman from Berks has presented you with a set of amendments which are rational, which present a minimum, that anything less than this will give us no alternative but to vote against a bill, with the objectives of which in themselves we have no quarrel. I hope the support of the House will be given to these amendments.

Mr. TOMPKINS. Mr. Speaker, in answering certain of the statements of the gentleman from York, he has stated that when a man is called up in the draft and put in a uniform that it is a great privilege for him to fight for his country. I agree with him ten million percent, and as many more percent as I can make it. I also say that when we are in a condition where that can be done to a man it is also a great privilege for a person who is back home to stand up and say he is an American. It stands on the same principle throughout. But when our country is going through a time of emergency it behooves those back home to stand up in the time of that emergency and say they are Americans.

So far as the reasonable doubt provision is concerned, you can pick up the papers almost daily and see where certain men are being released after long years of confinement because of the fact that they were sent to jail on circumstantial evidence. Also, a man today can lose his job in some cases where he failed to pay certain dues. Let us round out this picture in our whole economy instead of just trying to confine it to a few instances. We are talking today about being Americans.

Mr. ANDREWS. Mr. Speaker, I have been very much interested in the presentation made by the gentleman from Cameron. As I have listened, I have been reminded of the clergyman who was brought under fire and was sought to be discharged by his congregation.

He said to those who were camping on his trail.

What is the matter? Haven't I speechified, haven't I argued, haven't I glorified?

His critics replied,

That is right, Parson, you speechified, and you argued, and you glorified, but you haven't stated wherein."

And in connection with these particular amendments, the gentleman from Cameron really has not stated "wherein."

I had not expected to take the floor at this stage of the game. The only reason I am speaking now is because of my sincere desire to have a bill written, the kind of a bill that I could go before the Democratic House caucus and say, "Gentlemen, there has been a wide departure from the beginning, I do not like all the provisions of the bill even as the gentlemen from Berks has proposed it, but it is a much better bill than we had at the beginning that I hope you will support it."

And then we reach a point where we could pass a proper bill on the basis of almost unanimous consent instead of being forced into the ordeal of debating the bill of the gentleman from Cameron at length eighth tonight or tomorrow or some other time.

I submit to the membership of this House, that the Readinger amendments give you a loyalty oath. Point one. They give you a definition of a subversive person. Point two. And they give you exactly the legal remedy

that the gentleman from Cameron proposes, only they give it to you in a more direct and effective fashion.

I cannot support a bill formulated along the lines that the gentleman from Berks proposes. I cannot support and I cannot ask my caucus to support a bill formulated along the lines that the gentleman from Cameron proposes.

The objectionable features are in no way concerned with the integrity of a loyalty oath bill, and his objections to the amendments of the gentleman from Berks are in no way concerned with the integrity of the enforcement machinery.

Under the amendments that the gentleman from Berks proposes, we can do every proper thing, every proper thing that can be done under the terms of a proper loyalty oath bill.

So to save myself and to save you the ordeal of listening to a debate at length upon the merits of the bill as it will be amended by the gentleman from Cameron, I suggest to you that we take the more expedient course that will lead to a more general agreement and leave a sweeter taste in the mouths of everyone by supporting the amendments submitted by the gentleman from Berks.

Mr. READINGER. Mr. Speaker, I simply want to take a moment to point out something Mr. Tompkins said which I think is very appropriate to this debate. You heard it and you may remember it and again you may not.

Among his remarks he said that this is neither a Republican bill nor a Democratic bill. And I hope you will bear that in mind. I have been sitting in these Halls for the last fifteen years as a Member, and so often I find that simply because somebody in the Minority offers an amendment a lot of the Members in the Majority feel that they should not go along with it even though they might agree that it is reasonable and sensible and right. Perhaps I have been guilty myself in the past of transgressing in that manner.

But this is not a political issue in my opinion. I take no personal pride in having been the one who asked these amendments be drawn or having offered them with Mr. Scanlon. You can consider them your own amendments. If I thought it would have given them a better chance to pass today, I would have begged on my knees that somebody on your side co-sponsor them or be the sponsors alone. We should lay politics aside today. Whether we are Democrats or Republicans should not mean a thing. You either have to decide that they are right or they are wrong according to your best judgment. But for heavens sakes let us not vote along political lines today because this bill should not be voted on in that manner.

The yeas and nays were required by Mr. Readinger and Mr. Stank and were as follows:

A verification of the roll was requested by Messrs. Andrews, Readinger and Tompkins.

The roll was verified and was as follows:

## YEAS—92

Amarando,	Guarnieri,	McGee,	Rose,
Andrews,	Hagerty,	McNally,	Rosen,
Beaver,	Hamilton, R. K.,	Mihm,	Rovansek,
Berkstresser,	Headlee,	Monroe,	Sarra,
Bloom,	Hoggard,	Moran,	Scanlon,

Boies,	Hunter,	Muldowney,	Schmidt,
Breth,	Jenkins,	Munley,	Schuster,
Bucchin,	Jones, G. E.,	Musto,	Seyler,
Byrne,	Jones, J. M.,	Needham,	Snider,
Clendenling,	Jones, P. F.,	Olser,	Stank,
Conway,	Kamyk,	Penglase,	Swartz,
Corr,	Kolankiewicz,	Peta,	Swope,
Coyle,	Kornick,	Pettigrew,	Tahl,
Dougherty,	Kubacki,	Pfaff,	Taylor,
Duffy,	Lederer,	Pichney,	Toll,
Ewing,	Leonard, L.,	Polaski,	Verona,
Fenrich,	Leonard, W. C.,	Polen,	Wargo,
Philp,	Leven,	Price, R. A.,	Welsh,
Filo,	Limper,	Readinger,	Westrick,
Gaffney,	Lopresti,	Reese,	Wheeler,
Geer,	Lovett,	Reidenbach,	Williams,
Good,	Lutty,	Rigby,	Wood,
Goodling,	McDermit,	Robertson,	Yetzer,

## NAYS—95

Banker,	Gibson,	Markley,	Riley, R. L.,
Barkdoll,	Graybill,	Maxwell,	Royer,
Baumunk,	Greer,	Mazza,	Rubin,
Bear,	Gutendorf,	McConnell,	Sax,
Blair,	Guthrie,	McCormack,	Scott,
Bolton,	Hall,	McCullough,	Shotwell,
Bomberger,	Hamilton, W. H.,	McInroy,	Smith,
Bower,	Harney,	McKinney,	Sollenberger,
Breich,	Haudenschild,	McMillen,	Spencer,
Brown,	Helm,	Metz,	Stimmel,
Cella,	Hewitt,	Mikula,	Tompkins,
Clapper,	Hocker,	Miller, H. G.,	Toomey,
Costa,	Johnson,	Miller, J. C.,	Varner,
Dalrymple,	Jones, T. H. W.,	Mills,	Wachhaus,
Davis,	Jump,	Moore, C. E.,	Waterhouse,
Dennison,	Keller,	Moore, H. A.,	Watkins,
Dowling,	Kline,	Murray,	Weldner,
DuBois,	Kohl,	Najaka,	Whalley,
Dunn,	Kratz,	Naugle,	White,
Erb,	Leisey,	Petrosky,	Yeakel,
Ferster,	Light,	Pitzer,	Young,
Firmstone,	Lyons,	Price, H. W. Jr.,	Ziegler,
Flack,	Madden,	Reagan,	Sorg,
Frost,	Madigan,	Reilly, J. M.,	Speaker

## NOT VOTING—18

Beech,	Hersch,	Shoemaker,	VanSant,
Cochran,	Kent,	Stoner,	Varallo,
Cooper,	Lafore,	Thompson, E. F.,	Wescott,
Gleason,	Loitus,	Thompson, R. L.,	Wilt,
Greenwood,	Mintess,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WATKINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 5, page 12, line 8, by striking out the word "November" and inserting in lieu thereof "March."

Amend Sec. 5, page 12, line 9, by striking out the words "fifty-one" and inserting in lieu thereof "fifty-two."

Amend Sec. 5, page 12, line 15, by striking out the word "December" and inserting in lieu thereof "April."

Amend Sec. 5, page 12, line 16, by striking out the words "fifty-one" and inserting in lieu thereof "fifty-two."

Amend Sec. 5, page 13, line 8, by striking out the word "December" and inserting in lieu thereof "April."

Amend Sec. 5, page 13, line 8, by striking out the words "fifty-one" and inserting in lieu thereof "fifty-two."

Amend Sec. 7, page 17, lines 11 to 14, by striking out the words "the charges shall be" in line 11, all of lines 12 and 13, and the words "considerations permit" in line 14.

Amend Sec. 8, page 21, lines 3 to 16, inclusive, by striking out all of said lines.

Amend Sec. 11, page 26, line 4, by inserting after the



word "received" the following "reasonable examination and cross-examination shall be permitted."

Amend page 26, by inserting between lines 4 and 5 a new section to read as follows:

Section 12. Appeals to Court. (a) The ruling or decision of the Civil Service Commission or the Superintendent of Public Instruction shall be final, unless, within thirty (30) days after receipt by registered mail of written notice of the decision or order of the Civil Service Commission or the Superintendent of Public Instruction, an appeal, which may be taken by either party, is taken therefrom to the court of common pleas of the county in which the proper appointing authority is located. A copy of such appeal shall be filed, in writing, in the office of the prothonotary, and a copy shall be served on the Civil Service Commission or the Superintendent of Public Instruction, either by filing it in the office of the Civil Service Commission or the Superintendent of Public Instruction or by delivering the same to the Civil Service Commission or the Superintendent of Public Instruction.

(b) When appeal is taken from the decision of the Civil Service Commission or the Superintendent of Public Instruction to the court of common pleas, the judge of the court of common pleas to whom such petition is presented shall fix a date for hearing by the court, which shall be not sooner than ten (10) days nor more than twenty (20) days after the presentation of such petition. If the employee aggrieved shall so request in his petition, such hearing shall be do novo. Upon the hearing of said petition, the court shall make whatever order it considers just, either affirming or reversing the action of the Civil Service Commission or the Superintendent of Public Instruction, and stating plainly whether the employee is to be discharged.

Amend Section 12, page 26, line 5, by striking out after the word "section" and before the word "State—" the following "12" and inserting in lieu thereof the following: "13."

Amend Section 12, page 27, line 7, by striking out at the end of the line after the word "with" the following: "the report required hereby."

Amend Section 12, page 27, by striking out lines 8 to 11, inclusive.

Amend Section 13, page 27, line 12, by striking out after the word "Section" and before the word "candidates" the following: "13," and inserting in lieu thereof the following: "14."

Amend Section 14, page 28, line 16, by striking out after the word "Section" and before the word "effect" the following: "14" and inserting in lieu thereof the following: "15."

Amend Section 15, page 29, line 19, by striking out after the word "Section" and before the word "Specific" the following: "15," and inserting in lieu thereof the following: "16."

Amend Section 16, page 31, line 6, by striking out after the word "Section" and before the word "severability" the following: "16," and inserting in lieu thereof the following: "17."

Amend Section 17, page 31, line 14, by striking out after the word "Section" and before the word "the" the following: "17," and inserting in lieu thereof the following: "18."

Amend Section 17, page 31, line 15, by striking out at the end of the line after the word "of" the following: "November," and inserting in lieu thereof the following: "March."

Amend Section 17, page 31, line 16, by striking out at the end of the line after the word "hundred" the following: "fifty-one," and inserting in lieu thereof the following: "fifty-two."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, while the amendments have been offered by the gentleman from Cameron do not make an acceptable bill, they are nevertheless an improvement upon a very, very bad bill. It is not quite as bad as it was. And, of course, reserving the right to vote against the bill on final passage, I am suggesting to the membership on this side of the House that we support the amendments offered, with the understanding, of course, that I hope all those who voted for the amendments offered by the gentleman from Berks will be in their places voting against the bill when it appears on the calendar for final passage.

Mr. TOMPKINS. Mr. Speaker, not to debate the amendments but with the statement which the gentleman from Cambria just made I think the Members of the House are entitled to know what the amendments consist of, and I will just briefly review them.

First of all, they change a number of the dates in the bill which were also provided in the Readinger amendments.

They strike out the right to prefer or not to prefer charges at the discretion of the appointing authority for security reasons, and provides that the accused shall be furnished with a statement of the charges.

They give the right of examination and cross examination of witnesses before the appointing authority.

They grant the right of appeal de novo to the courts which you have heard a great deal of discussion about on the Readinger amendments.

And they strike out of subsection 6 that class of things upon which they are to base subversive activities, which is the United States Attorney General's list. That particular feature was ruled out by the Supreme Court of the United States just a short time ago, and that is what the amendments consist of which we have submitted.

Mr. SEYLER. Mr. Speaker, I desire to interrogate the gentleman from Cameron.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated.

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, I would like to ask the gentleman whether his amendments remove the discharged employee upon reasonable doubt in the minds of the employing agency?

Mr. TOMPKINS. Mr. Speaker, the reasonable doubt provision is still retained in the bill, yes, sir.

Mr. SEYLER. Mr. Speaker, does it make any provision that the person shall retain his position until such time as he shall have a trial under the provisions of the bill?

Mr. TOMPKINS. Mr. Speaker, he may not be dismissed under the provisions of the bill by the appointing authority until after some kind of a trial is had. Then on the appeal de novo into the courts, if he so desires, he can ask for a supersedeas, which means that he will retain his job until such time as the case is disposed of in the courts.

Mr. SEYLER. Mr. Speaker, to make it absolutely clear to me, I would like to ask the gentleman whether in the period between the conclusion of the hearing and whatever time is set for the trial in court, the employee would retain his position?

Mr. TOMPKINS. Mr. Speaker, if he asked for a supersedeas he would regain his job, yes sir.

Mr. SEYLER. Mr. Speaker, I would then ask the gentleman if there is any provision in the bill which would provide any penalty for the bringing of false accusations. In other words, if a person is accused, whether there is any provision in the bill which would provide for a penalty for false accusations?

Mr. TOMPKINS. Mr. Speaker, there are no such provisions in the bill. That would be taken care of entirely by laws which are already on the statute books.

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

I have observed before, Mr. Speaker, that in my mind the heart of the obnoxious features of this bill is the provision of reasonable doubt. Because under that provision any employe can be discharged on suspicion and therefore suffers a liability immediately. Upon the completion of a court trial, even if he should be declared innocent, his reputation would be forever tarnished. In any situation of this kind there are always some people, a large number of people, who retain the feeling that the accused was guilty of something.

I have the feeling that this set of amendments is an attempt to put a sugar coating on a bitter pill, or to use another simile, to scatter perfume over a long dead horse. But no amount of perfume is going to disguise the fact that it is a dead horse.

As the Minority Leader has stated, I see no reason to oppose these amendments, but I would certainly insist that we reserve the right to vote against the bill on the grounds that these amendments are totally inadequate to make this a proper American type of legislation.

Mr. MAXWELL. Mr. Speaker, I would like to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. WAXWELL. Mr. Speaker, this reasonable doubt clause about which there seems to be so much debate, is there now on our Federal statute books this same reasonable doubt clause?

Mr. TOMPKINS. Mr. Speaker, I do not know whether it is on the statute books or not, but it is contained in the loyalty program of the Federal government and the reasonable doubt provision of the Federal government regulations has been sustained by the Supreme Court of the United States, which makes it a rule of law.

Mr. MAXWELL. Mr. Speaker, it is a fact that the President of the United States has the right under the reasonable doubt clause to dismiss anyone from Federal employ if he has a reasonable doubt that they are un-American. Is that right?

Mr. TOMPKINS. Mr. Speaker, that is right.

Mr. MAXWELL. Mr. Speaker, to this date do you know of any case where there has been a misuse of power a miscarriage of justice due to this reasonable doubt clause?

Mr. TOMPKINS. Mr. Speaker, to my knowledge, none.

Mr. MAXWELL. Mr. Speaker, I thank the gentleman.

Mr. TOMPKINS. Mr. Speaker, there may be, but to my knowledge, I know of none.

Mr. MAXWELL. Mr. Speaker, if this has been part of the Federal law for a number of years and it has caused

no undue hardship nor any miscarriage of justice, I see no reason for so much debate about it here.

Mr. LOUIS LEONARD. Mr. Speaker, on the question of reasonable doubt, you all read the paper about what happened to an Assistant District Attorney of Allegheny County when the former Attorney General of this state had a reasonable doubt. It caused that party to lose practically eleven months work, and after due investigation was made, she was cleared and now she is back on the job. That is your reasonable doubt case.

Mr. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. ROSE. Mr. Speaker, I note that you have attempted to amend Section 11, page 26, line 4, by inserting after the word "received" the following "reasonable examination and cross examination shall be permitted." That pertains to the administrative action of the appointing authority, does it not?

Mr. TOMPKINS. Mr. Speaker, would you restate that question, please.

Mr. ROSE. Mr. Speaker, I say you have attempted to amend section 11, page 26, line 4, by inserting after the word "received" the following "reasonable examination and cross examination shall be permitted." That affects only the administrative procedure, does it not?

Mr. TOMPKINS. Mr. Speaker, yes, the hearing before the appointing board, yes.

Mr. ROSE. Mr. Speaker, so that under your amendment, the ordinary rules of cross examination would not apply, would they?

Mr. TOMPKINS. Mr. Speaker, oh yes, certainly, that is the reason for this particular amendment.

Mr. ROSE. Mr. Speaker, I do not see why you designate there "reasonable examination and cross examination." Would they be limited insofar as their right to cross examination is concerned?

Mr. TOMPKINS. No, Mr. Speaker.

Mr. ROSE. Mr. Speaker, they would not? In reply to one of the other gentlemen who interrogated you, you said they might obtain a writ of supersedeas if they took an appeal. Is there anything in the amendments which you offered which grants them that writ of supersedeas? I see nothing in the amendment.

Mr. TOMPKINS. Mr. Speaker, the amendment does not state that the appeal shall act as a supersedeas, no; but it is within the right of the party taking the appeal to ask for such a supersedeas.

Mr. ROSE. Mr. Speaker, it is your contention then that a party taking an appeal may just ask the court for a supersedeas without specifically mentioning it in the amendment?

Mr. TOMPKINS. Mr. Speaker, yes, that is right.

Mr. ROSE. Mr. Speaker, is it not true that in all other cases where the right of supersedeas is granted, the act specifically grants such right?

Mr. TOMPKINS. Mr. Speaker, not necessarily.

This is the same provision that is in your Teachers' Tenure Act. If you have the right of supersedeas in your Teacher's Tenure Act, you will have it here because we use the same language.



Mr. ROSE. Mr. Speaker, I thank the gentleman.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I would like to refer the gentleman in my interrogation to page 16 of the bill, Section 7, and to ask him whether or not under that section on page 18, line 16, does not allow the person charged to be discharged after a hearing before the appointing authority?

Mr. TOMPKINS. Mr. Speaker, yes, it does.

Mr. READINGER. Mr. Speaker, I would like to refer the gentlemen then to page 24 of the bill, Section 10 relating to appeals to the Superintendent of Public Instruction, and to ask him whether or not that section on page 25 does not provide on line 12 of that page that

On appeal the Superintendent shall affirm or reverse the findings and determination under review, and in the case of reversal shall order the reinstatement of the appellant who shall be entitled to back pay from the date of his discharge." Are those words not still in the bill?

Mr. TOMPKINS. Mr. Speaker, yes sir.

Mr. READINGER. Mr. Speaker, I would like the gentleman then to explain what he means by saying that a person who takes an appeal to the court will have a supersedeas as a matter of right? The very words of this bill seem to negative that idea.

Mr. TOMPKINS. Mr. Speaker, it is within the discretionary power of the court to grant such a supersedeas.

Mr. READINGER. Mr. Speaker, do you mean to say that that is the procedure which is in your Teacher Tenure Act?

Mr. TOMPKINS. Mr. Speaker, we followed that in order not to get away from the procedure provided in that bill.

Mr. READINGER. Mr. Speaker, does the Teacher Tenure Act not provide that the appeal shall be a supersedeas?

Mr. TOMPKINS. Mr. Speaker, not to my knowledge.

Mr. READINGER. Mr. Speaker, does the gentleman maintain that even though we specifically say in this Section 2 that I am reading, that the discharged employe shall be reinstated and entitled to his back pay, does he not believe that the Courts would then rule that they have no authority to grant a supersedeas? It specifically says that he must be given his back pay and that would have no meaning if a supersedeas were given, because he would have had his salary the entire time.

Mr. TOMPKINS. Mr. Speaker, the appointing authority has the power to dismiss, and then he has the right to take an appeal. If they reverse a decision, the party is reinstated to his job with his back pay. He does not lose anything at all by it, just the fact that he does not work during that period of time. He does not lose any pay or anything during that period of time, he just does not work. If they sustain the decision, naturally the party is out of a job. Therefore, he does not get any back pay or does not have any job.

Mr. ROSE. Mr. Speaker, but I ask the gentleman again does not the Teachers' Tenure Act provide that

before a person may be discharged by anyone, he is forced to be given charges preferred against him by some appointing authority and heard by the School Board? He may then appeal to the Superintendent of Public Instruction. He may then appeal de novo to the Court of Common Pleas of the county in which he is working, and he may take a further appeal to the Superior Court of Pennsylvania, all before he may be discharged? Is that not the Teachers' Tenure Act of today?

Mr. TOMPKINS. Mr. Speaker, sorry I cannot answer you.

Mr. READINGER. Mr. Speaker, I thank the gentleman.

Unless my recollection of the Teachers' Tenure Act is completely faulty, the law now provides that a teacher who is charged with one of the reasons for dismissal is given his administrative hearing and his court hearing before he may be discharged and removed from the payroll. This protection, in my opinion, is completely removed by this bill.

It is true that Section 10 provides that if the Superintendent of Public Instruction reverses the appointing authority, the School Board, or if the court reverses, he is to be reinstated and given his back pay. But I say to you there is a big difference between a person who is compelled to go through hearings perhaps for months and months without any pay at all and the case of the person who is entitled to work and to receive his pay during all those months.

Maybe it does not make any difference to you and me, sitting up here, but it certainly does to the person who is involved in the particular case.

I would like to point out one other thing about this bill with the proposed amendments before us, and that is Section 11 which provides that in proceedings taken pursuant to this act evidence shall not be restricted by the rules of evidence and procedure prevailing in the courts. All relevant evidence of reasonable probative value may be received. What means in simple language that you can get the worst kind of hearsay, hearsay which is five times removed from the person who first stated it, and that can be introduced in evidence at one of these hearings on the administrative level.

I would like very much to vote for a loyalty oath bill, but even with these amendments before us—well, I intend to vote for them on the ground that they at least make this bill better, but I cannot vote for this bill even as amended.

Mr. SCHMIDT. Mr. Speaker, I desire to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, is it the intention of the gentleman from Cameron to amend the provisions of the Act of 1941 dealing with persons advocating un-American or subversive doctrines who have filed appeals and under the law as it now exists the Act provides that such appeals shall operate as a supersedeas of any order? Now that is written specially in the Act of 1941 dealing with subversives. Here you have a bill that is attempting to deal with people who might be thinking subversively, and the law that provides that where they do actually become subversive and are charged with

subversion if they take an appeal they are permitted to be employed until such time as there is a final decision in the case. Now would you amend that Act by this bill?

Mr. TOMPKINS. Mr. Speaker, you are speaking of the Act of 1941?

Mr. SCHMIDT. Mr. Speaker, the Act of 1941, yes, provides that all appeals as aforesaid shall operate as a supersedeas of any order.

Mr. TOMPKINS. Mr. Speaker, which Act of 1941 are you speaking about?

Mr. SCHMIDT. Mr. Speaker, about the Act of 1941 dealing with persons advocating un-American or subversive doctrines who are public employes—whether they are school employes or employes of other subdivisions of the Commonwealth.

Mr. TOMPKINS. Mr. Speaker, there is a provision in Senate Bill 27 which would repeal that Act in toto.

Mr. SCHMIDT. Mr. Speaker, then you would take that away, you would wipe out the Act of 1941 insofar as it deals with subversives. Is that correct?

Mr. TOMPKINS. Mr. Speaker, yes, it would repeal that Act in toto.

Mr. SCHMIDT. Mr. Speaker, then in other words, under this act as you now have it, a person who is actually subversive under the Act of 1941 would no longer be guilty of any crime under the Act of 1941 but would be subject to the inquisition as we think of it under the proposed loyalty bill, is that correct?

In other words, under the Act of 1941 you have set up legal safeguards for anyone who is accused of an act of subversion. You say in this bill you are going to wipe out the Act of 1941 and you are going to rely on this loyalty act that we have before us where persons may be held and tried upon mere suspicion and receive a hearing under rules that are absolutely foreign to the American idea of law and procedure.

Mr. TOMPKINS. Mr. Schmidt you have a right to appeal to the courts. You have the right to examination and cross examination.

Mr. SCHMIDT. But in your bill as you now propose to amend it you remove the safeguard that is given the person under the Act of 1941, the right of a supersedeas, and as the gentleman from Berks has set forth, that person may be discharged and may not have employment until such time as there is a final disposition of the case.

Mr. TOMPKINS. In that particular job. That is right.

Mr. GUARNIERI. Mr. Speaker, I would like to interrogate the gentleman from Cameron Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. GUARNIERI. Mr. Tompkins, is it the purpose of your amendment to allow the hearing de novo on the facts and on the law?

Mr. TOMPKINS. The hearing de novo is a hearing starting from scratch, you might say. In other words the court is not bound by anything that has happened prior to that time under any circumstances.

Mr. GUARNIERI. That was in my understanding, Mr. Tompkins. I did not have a chance to peruse the amendments thoroughly and I wanted to ask the question.

I want to thank the gentleman for his answers to the last questions. In this hearing de novo, do your amend-

ments make any provision as to the specification of the charge. In other words, it appears to me that under the bill as it presently is written, the charges against the individual shall be stated only as specifically and completely as the appointing authorities having it render consideration may deem proper.

In this hearing de novo, will there be any provision for a clearer specification of a charge or would this specification named here remain? That is the question I wish to ask, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I might inform the gentleman from Philadelphia that the provision with reference to discretion so far as security reasons may be concerned is stricken out in my amendments, and the bill will read that the accused shall be entitled to be given a copy of the charges against him and that any appeal will be the appeal upon the charges which have been filed against him. Therefore, that will be what goes into your court as your complaint.

Mr. GUARNIERI. Mr. Speaker, I want to thank the gentleman for his explanation.

I notice that in the bill as it presently reads, in addition to the testimony taken before the appointing authority or the Civil Service Commission, as the case may be, the hearer, so to speak, before whom the proceedings are held may thereafter apparently make such further inquiry as may be deemed advisable in the judgment of the person before whom the hearing is held. I wish to ask, Mr. Speaker, whether the amendments proposed by Mr. Tompkins affect in any way that feature of the existing bill?

Mr. TOMPKINS. Mr. Speaker, they do not.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

Mr. HOGGARD. Mr. Speaker, I wish to be recorded as voting "no."

Mr. PENGLASE. Mr. Speaker, I wish to be recorded as voting "no."

Mr. MORAN. Mr. Speaker, I desire to be recorded as voting "no."

The SPEAKER. The remarks of the gentlemen will be noted in the record.

## SENATE MESSAGE

### AMENDED HOUSE BILL RECALLED FROM GOVERNOR NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1404.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had no final passage and third reading on said bill was reconsidered in the



House and the bill amended, is which amendments the Senate has nonconcurred.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to House Bill No. 1404 and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1404

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Sollenberger, Helm and Seyler.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that Senate Bill No. 789 together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

#### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 789

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by making special provision for the purchase of fuel for use in any State hospital or any other State institution.

And has appointed Messrs. Mallery, Mahony and Leader a Committee of Conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 789 and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 789

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Watkins, Hewitt and Stank.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that Senate Bill No. 655 Printer's No. 552 together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

#### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 655

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by further regulating the assessment and valuation of real property for local taxation purposes; further defining the duties of assessors and chief assessors; changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll, notice of appeal and hearings on appeals; prescribing duties of and fees to be collected by municipal officers who issue building permits; imposing duties on taxables, making improvements on land and grantees of land; prescribing penalties and changing procedure on appeals to court.

And has appointed Messrs. Stevenson, Mallery and Lane a Committee of Conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 655 and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 655

The SPEAKER. The Chair appoints as a Committee of

Conference on said bill, Messrs. Flack, Robertson and Swope.

Ordered, That the Clerk inform the Senate accordingly.

#### RESOLUTION

Mr. GOODLING offered a resolution which was filed with the Clerk.

#### ADJOURNMENT

Mr. BOIES. Mr. Speaker, as a further mark of respect to the memory of the late Honorable William J. Yester, I move that this House do now adjourn until Wednesday, December 12, 1951, at 11:00 a. m.

The motion was unanimously agreed to by a rising vote and (at 7:25 p. m.) the House adjourned until Wednesday, December 12, 1951 at 11:00 o'clock a. m.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, DECEMBER 12, 1951.

No. 101.

## SENATE

WEDNESDAY, December 12, 1951.

The Senate met at 2 o'clock p. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray. Almighty God, Who by Thy providence didst lead our forefathers to this good land wherein they found freedom, grant that we may ever be a people worthy of our heritage and loyal to the liberty in which we stand. Deliver us from the false faith of lip service, save us from sham and hypocrisy, keep us from panic and fear, and renew in us a living faith in liberty, that this Nation under God may have a new birth of freedom to the glory of Thy Holy Name and the welfare of all mankind, through Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WADE, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 12, 1951.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, Dec. 12, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

William R. Sausser, Pittsburgh, 1320 Brookline Blvd.

#### ARMSTRONG COUNTY

Mrs. Mary Jane Luke, Kittanning.

#### BERKS COUNTY

Mrs. Betty L. Freese, Birdsboro.

#### BLAIR COUNTY

Joseph R. Flaig, Woodbury Twp., Williamsburg.

#### BUCKS COUNTY

Robert G. Smith, Jr., Bristol Twp., Croydon.

#### ERIE COUNTY

Grant Cook, Erie.

#### INDIANA COUNTY

Christian Stamler, Canoe Twp., Rossiter.

#### LEHIGH COUNTY

Miss Anna May Czapp, Allentown.

#### LYCOMING COUNTY

Verus M. Kiess, Williamsport.

#### MONTGOMERY COUNTY

Miss Ann W. Taylor, Upper Gwynedd Twp., West Point.

#### NORTHAMPTON COUNTY

Ellis Griffith, Wind Gap.

#### PERRY COUNTY

Mrs. Janet L. Ford, Duncannon.

#### PHILADELPHIA COUNTY

Joseph H. Zimmerman, 3719 N. 5th St.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahanay,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.	Stiefel,	Presiding Officer
Haluska,			

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### REPORTS FROM COMMITTEES

Mr. KESSLER, from the Committee on Education reported as amended House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training of Public Instruction and imposing penalties.

He also from the Committee on Public Health and Welfare, reported as committed House Bill No. 1638, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

He also from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1139, entitled:

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide

for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the time and increasing the fee for annual registration of osteopaths.

He also from the Committee on Public Health and Welfare, reported as amended, House Bill No. 1497, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No. 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes and adding and changing penalties and providing for commitment of mentally ill persons to Veterans Administration or other agency of the United States.

He also from the Committee on Public Health and Welfare, reported as amended, House Bill No. 640, entitled:

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1544

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealer-users and wholesalers to secure licenses and to file bonds as a guarantee of payment to taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records; requiring registration of vehicles, dealers, and carriers for hire; imposing duties on such persons; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1692

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 203), entitled as amended, "Corporate Net Income Tax Act" by further defining net income changing the due date of certain pay-



ments, requiring additional reports and extending the provisions of the act for a further limited period of time.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1693

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an exise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1694

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1695

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "Corporation Income Tax Law" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1697

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law" by increasing the rate of tax in certain instances from ten percentum to twenty per centum.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1698

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### BILL INTRODUCED AND REFERRED

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 931, entitled:

An Act to amend Section 9 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by providing for change of the amount of security ordered to be deposited.

Which was committed to the Committee on Highways.

#### PETITIONS AND REMONSTRANCES

Mr. YOSKO. Mr. President, the other day I began to discuss some of the reasons why I thought Senate Bill No. 837, introduced by me, was reported from committee, and at that time I reviewed my reasons for introducing the bill. I outlined the numerous race tracks that existed in the states surrounding Pennsylvania, the attendance at those race tracks, the amount that was bet and the amount that was paid to the states in the form of taxes. I said that because Pennsylvania was surrounded by states that have legalized horse racing, I thought that Pennsylvania, too, ought to realize some of the revenues from that source, and for that reason I had prepared and had introduced in the House a bill to legalize horse racing in Pennsylvania on a monopoly basis, with three race tracks, the profits to go toward the payment of the bonds to finance the soldiers' bonus.

Mr. President, I said then that if Pennsylvania did not legalize horse racing, then perhaps we ought to be lily-white, as I put it, and get rid of the bookies and the gamblers and the racketeers, and that one of the methods of getting rid of them was by Senate Bill No. 837. I told the Members of the Senate that this bill was reported from committee without my consultation, in spite of the fact that it was my bill and in spite of the fact that I am a Member of the Law and Order Committee, to which the bill was referred, and from which committee the bill was reported to the floor of the Senate.

Mr. President, I said then that because of the general

conduct surrounding the reporting of the bill from committee, that there must have been some special motive, some special reason for reporting that bill from committee. I sat in my seat here and I tried to figure out the reason or the motive behind reporting the bill out. I reached the point where I said, "If they reported the bill out to flatter me,"—and I could not understand that because I am a Democrat, and very few bills introduced by Democrats are reported from committees, regardless of their merit, for the consideration of the Senate and the General Assembly as a whole. I said to myself, If the bill was reported out for that reason, to flatter me, to do me a favor, that I had introduced other bills that were in committee that perhaps had more merit than this bill. This bill, as I said, probably is not as effective today at it was the day I introduced it because the Democratic Administration in Washington did something about this racketeering, did something about this gambling. On one of my bills, as I put it, I would like to make an arrangement, and I would be glad to send this back for one of my other bills, the bill that deals with the institutional situation in Pennsylvania in which I have an interest.

Mr. President, I was over in the Health Department and I learned over there that there are about eight hundred empty beds in our tuberculosis institutions, and there are about five hundred people on the waiting list to get into those institutions, five hundred people who the doctors say are doomed to die unless they get hospitalization, but yet they cannot get into one of our institutions despite the fact that there are eight hundred empty beds. When I asked them the reason, I was told, and I admire the courage of those in the Health Department because they have said it publicly, that they cannot take care of these unfortunates because of the lack of doctors and nurses to staff the hospitals. So, I introduced two bills. The one bill would subsidize the education of a certain number of doctors in Pennsylvania, and the method of having them admitted and the method of having them qualified is outlined in that bill. These doctors would agree to spend at least four years in one of the State institutions assigned to them by either the Governor, or the Secretary of Health or the Secretary of Welfare. That bill is still in committee, and I have a letter here from the Pennsylvania Medical Society, and it is addressed to me and it is dated April 3, 1951, which states:

"My dear Senator Yosko:

"Senate Bill No. 349, of which you are the sponsor, provides a limited number of State scholarships for medical education. This bill is very commendable and should receive favorable consideration."

Mr. President, I talked to the Secretary of Welfare about it, and he approved the bill. I talked to Doctor Teague, and he likewise approved the bill and thought it would be a good idea to provide for a steady flow of doctors into our State institutions so that the patients in those institutions could be properly cared for and properly treated. The bill is still in committee, although this Senate Bill No. 837 was reported out.

Mr. President, I also introduced a bill that would authorize the Secretary of Health to declare an emergency in those areas of Pennsylvania where there is a shortage of nurses, and in those areas set up an accelerated program whereby nurses could be graduated in two years

instead of three years. This bill would provide subsidies to those nurses' training schools which would inaugurate that program, and it was through this program that I thought, and they agreed with me, that perhaps the shortage of nurses could be replenished. That bill is still in committee, and while I am talking about the shortage of nurses and funds that we appropriate to nurses' training schools, my colleague, Senator Bane, just this afternoon told me of his interest in that subject, of the amount of money that we are appropriating to these State-aided hospitals for that purpose, and of the presumption, at least, that these State-aided hospitals are not applying these funds totally for the purpose for which the funds are granted. At least there is no accounting of how those funds are spent, and we talked about doing something about it. However, the bill that I introduced is still in committee, so that I repeat, if you want to flatter me, if you want to do me a favor by putting through one of my bills, I will gladly agree to have this bill recommitted and have one of those worthy bills reported from committee and enacted into law. So, it could not be for flattery purposes that this bill was reported out.

Mr. President, I said to myself, "Could it be because they want to enforce the law, they want to get after these racketeers, that they reported this bill out?" I could not agree with myself that it was for that purpose, because I said, "If that was the reason, they could do more than report that bill out."

Mr. President, Senator Ruth, my colleague here, put in a resolution to set up a crimes investigating committee in Pennsylvania. The resolution is still in committee. Assemblyman Thompson introduced a resolution to set up a crimes investigating committee in Pennsylvania. It is still in committee. I introduced a resolution calling upon the State Police to set up a racket busting squad. It is still in committee. The Criminal Code, for instance, upon which about four years work was done by experts in the criminal field, that took hours and hours of time and study, that cost thousands of dollars to make the study, the Criminal Code that passed the House and is now in the Senate has not been reported from committee. There are sections in the Criminal Code that take care of the gambler, the racketeer and the slot machine operator, so that it could not be that you wanted to do something about curbing the racketeering crime in Pennsylvania.

Mr. President, I discarded that as a reason for reporting the bill out, and I said to myself again, "I wonder if it could not be that a newspaper"—and I may as well say which one (the Philadelphia Inquirer)—"was to be punished for supporting the Democratic ticket in Philadelphia last year, which helped to clean out the thieves and the crooks and the embezzlers and the drones, mind you, which I understand the Kephart Bill would attempt to freeze into office, in spite of the voice of the people of the city of Philadelphia. Could it be because the Philadelphia Inquirer printed that expose of the medical-surgical situation, hospital situation, in Philadelphia, about which I am going to have a great deal more to say? Could it be because of that, and because the Philadelphia Inquirer and other reputable newspapers in Pennsylvania print these race results?" I could not make myself believe that that could be the reason, and I will tell you why.

Mr. President, I do not think that the Republican lead-



ership could be so stupid to try something in a retaliatory manner against a newspaper like the Philadelphia Inquirer or any other reputable newspaper, because I said to myself, "The Philadelphia Inquirer or any other newspaper in Pennsylvania certainly does not need the Republican Party. The Republican Party needs the Philadelphia Inquirer, and it needs every reputable newspaper we have in this State if it is to survive and enjoy victories." So, I could not attribute that as the chief reason or as the primary reason, and there I stopped.

Mr. President, I want to say that I was for the bill when it was introduced, I am for it now, and I say here and now that the Republican Party is in the Majority in the Senate and in the House, we have a Republican Governor here and, frankly, I do not believe you have the courage to pass this bill and the Governor sign it.

Mr. WATKINS. Mr. President, I would just like to make a very brief statement. I have some of Senator Yosko's bills, and I would just like to inform him that I am not in a position to deal. I saw what happened yesterday with supposed deals, and I do not want to be a party to it, so I cannot deal with him.

### REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as amended, House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one.

### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry William Briggs, Sr., 347 Terrace Boulevard, Lewistown, Mifflin County, for appointment as Justice of the Peace in and for the Township of Granville, Mifflin County, until the first Monday of January 1952, vice Edward M. Davis, resigned.

JOHN S. FINE.

### MEMBERS OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Dec. 11, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Lycoming County Board of Assistance:

Mrs. Mary S. Sharpless (Republican), 660 Harding Avenue, Williamsport, Lycoming County, to serve until December 31, 1952, and until her successor is duly appointed and qualified, vice Mrs. Grace M. Soars, Muncy, resigned.

Dr. Irvin T. Gilmore (Democrat), 95 South Main Street, Hughesville, Lycoming County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Reverend J. Ray Houser, Williamsport, whose term expired.

Earl H. Morris (Republican), 2729 Newberry Street, Williamsport, Lycoming County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Dr. John E. Whittaker, Williamsport, whose term expired.

Preston H. Smith (Republican), 404 Main Street, South Williamsport, Williamsport, Lycoming County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WADE, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. BERGER, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the Executive Nomination of Dr. Jerry F. Neill for appointment as a Member of the State Board of Optometrical Examiners, for the purpose of confirmation.

The Clerk read the nomination as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, February 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

## MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Dr. Jerry F. Neill, Melrose Court Apartments, Melrose Park, Montgomery County, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

## CONSIDERATION OF EXECUTIVE NOMINATION

Whereupon,

A motion was made by Mr. WATSON and Mr. TAYLOR, That the Senate do advise and consent to the nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahanay,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stiefel,	Hare,
Freed,	McPherson, Jr.,		Presiding Officer
Haluska,			

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

## NOMINATION OF PRESIDENT PRO TEMPORE FOR THE INTERIM

Mr. CHAPMAN. Mr. President, I am about to place in nomination for the office of President pro tempore of the Senate one of our very distinguished colleagues, but before doing so I would like to make this statement.

Mr. President, the requirements essential for a President pro tempore of the Senate are:

First, the qualification of experience and also intellectual honesty and dependability. Second, emotional stability, that is one who has his feet on the ground and,

third, availability for the Senators when they are in Harrisburg. These qualifications are exemplified in the person who I am about to nominate for President pro tempore of the Senate for the interim.

Mr. President, it gives me pleasure to present the name of the Honorable M. Harvey Taylor.

Mr. DENT. Mr. President and Members of the Senate, it gives me personal pleasure to be able at this time, to follow the custom, to second the motion and endorse the Senator from Dauphin for the office of President pro tempore for the interim.

The PRESIDING OFFICER. The Chair thanks the gentleman from Westmoreland. Are there any further nominations?

The PRESIDING OFFICER. Are there any other nominations?

## NOMINATIONS CLOSED

Mr. WATSON. Mr. President, I move that nominations for President pro tempore of the Senate, during the interim, be closed.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. On the election of the President pro tempore during the interim, the Clerk will call the roll. The candidate is the Honorable M. Harvey Taylor of Dauphin County.

## FOR MR. TAYLOR—47

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Toole,
Barrett,	Kephart,	Neff,	Wade,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Byrne,	Leader,	Propert,	Watkins,
Chapman,	Letzler,	Robinson,	Watson,
Crowe,	Mahanay,	Rosenfeld,	Wolfe,
Dent,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Hare,
Freed,	McMenamin,	Stevenson,	Presiding Officer

The PRESIDING OFFICER. The Chair declares the Honorable M. Harvey Taylor elected President pro tempore for the interim.

## COMMITTEE APPOINTED TO ESCORT THE HONORABLE M. HARVEY TAYLOR TO THE ROSTRUM

The PRESIDING OFFICER. The Chair appoints the gentleman from Luzerne, Mr. Wood, the gentleman from Delaware, Mr. Watkins, and the gentleman from Westmoreland, Mr. Dent, as a committee to escort the Honorable President pro tempore-elect to the rostrum.

Whereupon, the President pro tempore was escorted to the rostrum of the Senate.

## PRESIDENT PRO TEMPORE-ELECT PRESENTED TO SENATE

The PRESIDING OFFICER. I am happy to present to the Senate a man who needs no presentation and one who needs no defense ever. I am happy to present your newly and re-elected President pro tempore of the Senate the Honorable M. Harvey Taylor.

## REMARKS OF THE HONORABLE M. HARVEY TAYLOR PRESIDENT PRO TEMPORE-ELECT

Mr. TAYLOR. Mr. President and gentlemen, I imagine



you think I am getting so old that it requires three men to escort me to the rostrum, but I do appreciate this compliment.

I am not going to attempt to make any speech, but it certainly is fine when you can live with people for eleven years, practically, to be honored in this way. It makes me happy, because this will make Mae happy when she reads it in the paper. Thank you so much.

#### SENATE CONCURRENT RESOLUTION

##### CARE OF WORLD WAR II ROSTER IN CAPITOL ROTUNDA

Mr. WOLFE offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 12, 1951.

It is fitting that provision be made for the permanent care of the World War II roster, now displayed in the capitol rotunda, in order that this record of war history may be properly preserved.

In as much as the Pennsylvania Historical and Museum Commission by Act No. 340 of the 1949 Session of the General Assembly is empowered, in cooperation with the Department of Military Affairs to establish and maintain an extension museum of war history at Indiantown Gap, and in view of its other excellent facilities and experience in caring for historical records, it is proper that this Commonwealth agency be entrusted with the permanent care of this valuable war record; now therefore be it

Resolved (if the House of Representatives concur), That the permanent care of World War II service roster now in the Capitol rotunda be entrusted and turned over to the Pennsylvania Historical and Museum Commission for display and preservation in accordance with its powers and facilities.

Ordered That the Clerk present same to the House of Representatives for concurrence.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Local Government.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### REPORT FROM COMMITTEE

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Local Government, re-reported as amended, Senate Bill No. 897, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employees who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employees

from the civil service provisions of the Philadelphia Home Rule Charter imposing additional duties upon the Governor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasury shall be determined and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

#### CALENDAR

##### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 230, as follows:

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1166 Persons Entitled (a) Any person employed in the public school system of this Commonwealth who has completed ten (10) years of satisfactory service as a teacher or in first class school districts as a member of the instructional staff or department of instruction as now defined by the local board of educational professional employe or member of the supervisory instructional or administrative staff or in first class school districts as a member of the instructional staff as defined by the local board of education shall be entitled to a leave of absence for restoration of health study or travel or at the discretion of the board of school directors for other purposes At least five consecutive years of such service shall have been in the school district from which leave of absence is sought unless the board of school directors shall in its discretion allow a shorter time Such leave of absence shall be for a half or full school year or for two half school years during a period of two years at the option of such person Thereafter one leave of absence shall be allowed after each seven years of service

A sabbatical leave granted to a regular employe shall also operate as leave of absence without pay from all other school activities

Section 1169 Salary While on Leave The person on leave of absence shall receive [the difference between] one-half of his or her regular salary [and the salary paid to any substitute employe temporarily engaged because of such leave] Provided That the employe who is absent on sabbatical leave shall not receive more than [one thousand six hundred dollars (\$1600)] two thousand five hundred dollars (\$2500) if the employe's absence on sabbatical leave is for a full school year and not more than [eight hundred dollars (\$800)] one thousand two hundred fifty dollars (\$1250) if the employe's absence on sabbatical leave is for a half school year as defined in this act [The salary paid to such substitute shall be the salary for substitute service according to the salary schedule established by the local board]

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 230

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 230.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor.
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner.
Byrne,	Leader,	Propert,	Walker.
Chapman,	Letzler,	Robinson,	Watkins.
Crowe,	Mahanay,	Rosenfeld,	Watson.
Dent,	Mallery,	Ruth,	Wolfe.
DiSilvestro,	McCreesh,	Silvert,	Wood.
Fleming,	McGinnis,	Snowden,	Yosko.
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### REPORTS FROM COMMITTEES

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SNOWDEN, from the Committee on Local Government, reported as committed, Senate Bill No. 927, entitled:

An Act relating to and regulating the contracts of incorporated towns; and providing penalties.

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Local Government, reported as committed, Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political sub-

division affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds."

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Local Government, re-reported as amended, House Bill No. 967, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for disability leave with salary and hospital and medical expenses for certain employees of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Local Government, reported as amended, Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes.

He also from the Committee on Local Government, reported as amended, Senate Bill No. 893, entitled:

An Act requiring one-half of the funds derived by cities of the second class from rentals or charges imposed upon consumers for water services to be used solely for construction reconstruction maintenance improvement and repair of such water works and for payment of obligations incurred for such purposes and prohibiting transfers of such funds.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 8:30 o'clock, p. m., Eastern Standard Time.

Mr. WAGNER. Mr. President, I second the motion. The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.



## BILL INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LANE, read in place and presented to the Chair Senate Bill No. 932, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

Which was committed to the Committee on Reapportionment.

## REPORT FROM COMMITTEE

Mr. PROPERT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PROPERT, from the Committee on Local Government, reported as amended, Senate Bill No. 894, entitled:

An Act to amend Section 1 of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and collect such taxes; and permitting penalties to be imposed and enforced," by prohibiting the imposition of wage, income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed.

## BILLS INTRODUCED AND REFERRED

Mr. ROSENFELD. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. ROSENFELD read in place and presented to the Chair Senate Bill No. 933, entitled:

An Act relating to State mental institution, personnel, adequate professional services, suitable remuneration and job security for personnel of State mental institutions as means of affording proper care and treatment of patients thereof; authorizing the appointment of a State director of personnel, personnel administrators in each State mental hospital, a State hospital's director of personnel training, a consultant on volunteer services and directors of personnel training at each State mental hospital; conferring powers and establishing duties on various State officers and employees; authorizing training programs, certification and classification of trainees into civil service status, establishing minimum salaries, and authorizing suits against the Commonwealth; and providing penalties.

Which was committed to the Committee on Public Health and Welfare.

Mr. TOOLE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TOOLE read in place and presented to the Chair Senate Bill No. 934, entitled:

An Act to further amend Clause 1 of Section 2531 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act re-

lating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the tax limitation for general revenue purposes.

Which was committed to the Committee on Local Government.

## CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 845 as follows:

An Act to further amend Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected there-

with" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 792) is hereby further amended to read as follows

#### Article XII

#### General Rules

The following general rules shall be observed in every mine to which this act applies

\* \* \* \* \*

Rule 12 The mine foreman or his assistant shall visit and examine every working place in the mine every working day while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props [or] timber roof bolts or such other practical devices as may serve to secure the safety of the workmen and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure and a report of said examination shall be recorded in a book without delay kept at the colliery for that purpose and signed by the person making the same and countersigned within a period of one week by the mine foreman All such reports shall be made and signed at the end of each shift Providing however If the mine is idle forty-eight (48) hours or more the mine foreman or his assistant shall examine every working place the day before operations are resumed and all such entries shall be made and signed in ink in a manner similar to that heretofore described the use of roof bolts in lieu of props or timber as conventionally used shall not be permitted by the owner operator or superintendent of any mine unless permission in writing to do so is first obtained from the Secretary of Mines The Secretary of Mines shall grant such permission after he has received the approval of a commission of three mine inspectors one of whom shall be the inspector in whose district the mine for which permission is sought to use roof bolts is located

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 845

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 845.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### THIRD READING CALENDAR

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 61, on third reading, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 162, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 283, on third reading, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 284, on third reading, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 286, on third reading, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 323, as follows:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds



The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars (\$15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Agriculture for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes The moneys hereby appropriated shall be apportioned among and paid to the several counties appropriating and extending from the county treasury a sum equal to that received from the Commonwealth for such purpose

Section 2 The funds appropriated under this act shall be available for payment of salaries and wages purchase of supplies and other necessary and pertinent items in accordance with regulations promulgated by the Department of Agriculture under the provisions of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Proport,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mabany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. President, I ask unanimous consent that House Bill No. 370, on third reading, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 455, on third reading, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 465, on third reading, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 546, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeomen (female) and nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred fifty-one for paying gratuities for the children between the ages of sixteen and twenty-one years of totally disabled veterans and of soldiers marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American War or World War service connected disabilities as certified from veteran administration records Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of this act and (2) as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training Payments not to exceed the sum of two hundred dollars (\$200) per school year per child shall be made to such institution upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Probert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer
Haluska,			

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 552, on third reading, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 554, on third reading, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 560, on third reading, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 579, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred dollars (\$600) or as much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred fifty-one to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for

the purpose of improving and replacing bridges and their abutments on such roads and highways Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Probert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer
Haluska,			

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 714, as follows:

An Act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges providing for leaves of absence imposing certain duties upon the Boards of Trustees and Presidents of State Colleges and the Superintendent of Public Instruction and repealing inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Salary Payments Compensation of each member of the faculty of each State Teachers College shall be payable in nine (9) equal monthly installments during the regular college year

Section 2 Classification and Salaries Each person heretofore or hereafter appointed to a position as a member of the faculty of a State Teachers College within the classifications hereinafter set forth shall receive the following minimum salaries and years increments for services rendered during the regular college year

Professor Qualifications an earned Doctor's Degree at least seven years of teaching experience four of which shall have been in public schools minimum annual salary five thousand dollars (\$5,000) minimum annual increment two hundred dollars (\$200) minimum number of increments five (5)

Associate Professor Qualifications minimum of Master's Degree including a total of sixty semester hours of graduate credit at least five years of experience as a teacher three years of which shall have been in public schools minimum annual salary four thousand five hundred dollars (\$4,500) minimum annual increment two hundred dollars (\$200) minimum number of increments five (5)

Assistant Professor Qualifications minimum of Master's Degree at least four years of experience three years of which shall have been in public schools minimum salary four thousand dollars (\$4,000) minimum annual increment two hundred dollars (\$200) minimum number of increments five (5)

Instructor Qualification minimum of Bachelor's Degree



with at least three years experience two years of which shall have been in public schools minimum annual salary three thousand five hundred dollars (\$3,500) minimum annual increment one hundred dollars (\$100) minimum number of increments five (5)

Laboratory School Teachers Members of the college faculties who are assigned to College Laboratory Schools shall receive total annual salaries for which they would qualify in accordance with the above classifications regardless of whether salary is paid entirely by the State or in part by the public schools

Co-operating Teachers Full-time employes of public school systems not classified as College Laboratory School Teachers but assisting with the supervision of student teachers qualifications minimum of a Baccalaureate Degree and at least three years experience as a public school teacher minimum annual compensation fifty dollars (\$50) for each student teacher under his or her supervision which student teacher shall be enrolled to secure twelve (12) semester hours of student teaching credit

Heads of Academic Departments Heads of Academic Departments shall receive one (1) additional increment of two hundred dollars (\$200)

The compensation of all instructional employes of the state teachers colleges not covered by the provisions of this act shall be determined by the executive board under the regulations prescribed by the administrative code

Section 3 Leaves of Absence Upon recommendation of the President and approval by the Board of Trustees and the Superintendent of Public Instruction a leave of absence of one semester with full pay or a leave of absence of one year with half pay for restoration of health study travel or other appropriate purposes may be granted to any member of the faculty of any State Teachers College who has completed ten or more years of continuous and satisfactory service in such institution No State Teachers College shall limit the number of such leaves of absence in any one school year to less than ten per centum of the number of persons eligible for such leaves

No leave of absence shall be granted unless such person shall agree in writing to return to his or her employment with the State Teachers College for a period of not less than one year immediately following the expiration of such leave of absence

No such leave of absence shall be considered a termination or breach of the contract of employment and the person on leave of absence shall be returned to the same position he or she occupied prior thereto

Every employe while on such leave of absence shall be considered to be in regular full-time daily attendance in the position from which the leave was taken during the period of said leave for the purpose of determining the employe's length of service and the right to receive increments as provided by law

Every person on leave of absence shall retain the right to make contributions as a member of either the State Employees' Retirement Fund or the Public School Employees' Retirement Fund and continue his or her membership therein in which ever system he currently holds membership

Nothing in this section shall be construed to prevent any person on leave of absence from receiving a grant for further study from any institution of learning other than the State Teachers College by which employed

The Trustees of each State Teachers College shall have the right to make such regulations as they may deem necessary to make sure that employes on leave shall utilize such leave properly for the purpose for which it was granted requiring reports from the employe or employes on leave in such manner as they may deemf necessary

Section 4 Annual Employment Nothing contained herein shall be construed as prohibiting the payment of compensation beyond the salaries prescribed in this act nor shall any part of this act be construed as prohibiting the employment of members of the administrative staffs of the State Teachers Colleges on a twelve (12) month basis

Section 5 Promotions Any faculty member who during

the term of his employment shall have attained the qualification necessary for the next higher classification as hereinbefore set forth shall commencing with the next succeeding regular college year within the percentage limitation prescribed by this act receive the compensation prescribed for such advanced classification which shall be at least two hundred dollars (\$200) in excess of the increment earned by him during the previous year

Section 6 Administration of Salary Schedule The provisions of this act shall not be construed as authorizing any decrease in the salary paid any member of the faculty of any State Teachers College at the effective date of this act

Each person employed as a member of the faculty of a State Teachers College receiving compensation equivalent to or in excess of the minimum salary prescribed by the above schedule shall for the college year 1951-1952 be raised to the next higher step on the schedule unless such increase shall be less than one full increment in which case he shall be raised to the next higher step on the applicable schedule Each such person receiving compensation less than the minimum salary prescribed by the schedule shall for the college year 1951-1952 be raised to such minimum salary unless such increase shall be less than one full increment in which case he shall be raised to the next higher step on the applicable schedule Provided That no compensation shall be paid in excess of the maximum salary for each class when this act becomes effective

Upon satisfactory completion of a probationary period of three years the increments prescribed in this act shall become mandatory

Classifications of any employe enumerated in the foregoing salary schedule and the qualifications of such employe must be approved by the Superintendent of Public Instruction to entitle any employe to the benefits of this act Not more than thirty per centum of the total number of the faculty of any State Teachers College shall be approved for classification as professor The duties of each classification shall be defined by the Superintendent of Public Instruction

The Superintendent of Public Instruction shall be vested with the sole and final authority in interpreting the provisions of this act pertaining to the classification of any person covered thereby

Section 7 Repeal All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,	Stiefel,	Presiding Officer
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.



## REMARKS ON HOUSE BILL No. 714

Mr. LANE. Mr. President, the passing of House Bill No. 714, in my opinion, demonstrates to the people of Pennsylvania that this Legislature is definitely in support of public education. We have done a good job for the public school teaching profession in Pennsylvania, and House Bill No. 714 sets up a salary scale for the teachers in our various teachers colleges throughout the Commonwealth.

Mr. President, for the information of the Members of the Senate, this legislation will benefit forty-seven instructors at the California State Teachers College, it will benefit one hundred ten instructors at the Indiana State Teachers College, fifty-five at Slippery Rock, forty-seven at Edinboro, forty at Clarion, forty at Lock Haven, forty-seven at Bloomsburg, forty-seven at Tioga County, one hundred ten at West Chester, fifty at Millersville, fifty at Shippensburg, thirty-five at Cheyney, fifty at Stroudsburg and fifty at Kutztown. .

Mr. President, this group of public instructors has not received the benefits that the members of the public school teaching profession have received in the legislative halls of this Commonwealth, and the establishment of this salary scale will, I believe, go a long way in encouraging educators to participate with our teachers colleges in this Commonwealth.

Mr. YOSKO. Mr. President, I just want to say a word or two about the increase for the teachers in the normal schools of Pennsylvania.

Mr. President, I have had a number of telephone calls, as well as letters, from teachers in the State normal schools relative to an increase in salaries for them. It is my opinion at least, and I have so voted, that since we gave the teachers of the public schools an increase and gave almost everybody else in every other category an increase, that the teachers in the normal schools are also entitled to a salary increase. However, I do just want to say this, by way of suggestion that through the normal schools we do help to finance the education of students, prepare them for teaching in our public schools. There are a great many teachers who graduate from normal schools who are qualified to teach, but it seems to me as though there is no program in the normal schools to prepare teachers to fill those vacancies that most likely occur in our public school system.

For instance, Mr. President, I have had a number of normal school graduates come to me and ask me if I could not help to get them placed in the public school system in the city of Bethlehem, and, naturally, since it is a part of my job to help people and particularly those who are educated in our normal schools, I, as a rule, contact the superintendent of schools for those applicants who come to me. I find that in most cases the teachers, although they are qualified to teach, are not qualified to fill the vacancies that exist in the public school system, and for that reason they cannot be hired. As a result, in some cases it is necessary to employ teachers from other states to fill those vacancies.

Mr. President, I do think under the circumstances that the normal schools ought to make a survey each year of the public school system to find out in just what departments teachers are necessary, and try to encourage the students to take courses in those particular categories,

so that they can qualify and graduate and be able to fill the gaps. In that way, we could employ more of the schoolteachers from our own State, and in particular from the normal schools that we help to finance.

Mr. McGINNIS. Mr. President, I was a little bit hurt at Senator Lane's announcement here. He named the State Colleges for Teachers, and when he came to Tioga County he did not name the school.

Mr. President, I want to tell the Senate that I graduated from this college over fifty years ago, 1899, and that is the Mansfield State Teachers College. It is a grand school. I taught one year, I was principal of my school at home, I went back to Mansfield and prepared there for entrance to Cornell University.

The PRESIDING OFFICER. I am sure that was an oversight on the part of the gentleman from Washington. I am sure he intended to mention it, Senator McGinnis.

BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 772, as follows:

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 1372 thereof a new section to read as follows

Section 1372.1 Day Care Training Centers for the Proper Training of Mentally Handicapped Children The Department of Public Instruction is hereby authorized to provide maintain administer supervise and operate day care training centers for the proper training of mentally handicapped children who have been declared to be uneducable in the public schools but who are considered to be trainable Pupil eligibility for day care training centers shall be determined according to standards and regulations promulgated by the State Council of Education The school district in which a child who is enrolled in any day care training center is resident shall pay to the Commonwealth a sum equal to the district's "tuition charge per elementary pupil" for the preceding school term as provided for in section two thousand five hundred sixty-one of the act to which this is an amendment In order to facilitate such payments by the several school districts the Superintendent of Public Instruction shall withhold from any moneys due to such district out of any State appropriation the amounts due by such school districts to the Commonwealth All amounts so withheld are hereby specifically appropriated to the Department of Public Instruction for the maintenance and administration of day care training centers for mentally handicapped children

Section 2 Section 1375 and 2509 of said act are hereby amended to read as follows

Section 1375 Uneducable Children Provided for by De-



partment of Welfare The State Council of Education shall establish regulations for temporary or permanent exclusion from the public school of children who are found to be uneducable and untrainable in the public schools Any child who is reported by [an approved mental clinic or by] a person who is certified as a public school psychologist [or psychological examiner] as being uneducable and untrainable in the public schools may be reported by the board of school directors to the Superintendent of Public Instruction and when approved by him in accordance with the regulations of the State Council of Education shall be certified to the Department of Welfare [in accordance with regulations approved by the State Council of Education After any such board shall have thus reported any child it] as a child who is uneducable and untrainable in the public schools When a child is thus certified the public schools shall be relieved of the obligation of providing education or training for such child The Department of Welfare shall thereupon arrange for the [admission] care training and supervision of such child [at an appropriate institution for the training of] in a manner not inconsistent with the laws governing mentally defective [children due consideration being given to the availability of space in such institution] individuals

Section 2509 Payments on Account of Courses for Handicapped Children Every school district regardless of classification shall be paid by the Commonwealth for every school term [the sum of twenty dollars (\$20) per pupil in average daily membership in a course or courses for mentally handicapped children and the sum of thirty dollars (\$30) per pupil in average daily membership in a course or courses for physically handicapped children approved by the Superintendent of Public Instruction] an amount to be determined by multiplying the average daily membership in a course or courses for mentally handicapped children and the average daily membership in a course or courses for physically handicapped children approved by the Department of Public Instruction by the actual excess in the cost per child in each type of special classes over the cost per child in the regular classes at the elementary junior high or senior high school level Payments by the Commonwealth shall not exceed seventy-five per cent (75%) of the total cost of educating a mentally or physically handicapped child enrolled in any special class in any district

Section 3 The sum of fifty thousand dollars (\$50,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of maintaining administering supervising and operating day care training centers for mentally handicapped children

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Holland,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DISilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
Haluaka,	McPherson, Jr.,	Stiefel,	Presiding Officer

#### NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 792, as follows:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates and for their admission to and care therein and the payment of the cost thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act the following words and phrases shall unless the context clearly indicates otherwise have the meanings ascribed to them in this section

(1) "Addict" or "drug addict" a person who is or is thought to be so habitually addicted to the use of opiates as to be unable or unwilling to stop the use of such substances without help The terms shall not include any person who has been convicted on a criminal charge and whose period of sentence has not expired nor any person acquitted of a crime on the grounds of insanity nor any person charged with crime but not tried therefor or not convicted thereof

(2) "Care" shall include reception detention discharge custody treatment maintenance support segregation discipline improvement employment medical and surgical treatment and nursing food and clothing

(3) "Court" the court of common pleas or other court of record having jurisdiction or law judge thereof of the county in which the addict or person thought to be an addict is or resides

(4) "Department" the Department of Welfare or such other department to which its powers and duties may be transferred

(5) "Institution" or "State institution" any State mental institution or hospital or any State medical and surgical hospital maintained wholly by the Commonwealth or the board of trustees of which is a departmental administrative board within the department

(6) "Physician" a person who has been (1) a resident of Pennsylvania for at least three years (2) licensed to practice medicine in Pennsylvania and (3) in the actual practice of medicine for a least three years or has had at least one year's experience in an institution

(7) "Responsible person" any person who assumes or who is liable for the support of an addict or who has custody of an addict or who is the legal guardian or committee of an addict

(8) "Superintendent" the person in charge of the administration of an institution or person acting as such at his appointment or under his direction

Section 2 Care of Drug Addicts State institutions shall provide care for addicts in accordance with the provisions of this act

Section 3 Admissions or Commitments (a) Any drug addict may be admitted to a State institution for care upon compliance with any of the following methods of admission or commitment to wit

(1) On voluntary application by the addict if an adult and if competent to make the application

(2) If the addict is a minor on application to a superintendent by at least two persons who shall be the addict's parent or other responsible person accompanied by a physician's certificate

(3) By order of court for commitment for care or for observation diagnosis and treatment of the addict after petition by at least two persons who shall be the addict's relative or other responsible person which petition shall be accompanied by the certificate of two physicians and



after a hearing before such court at which the addict or person thought to be an addict shall be present

(b) Every admission or commitment shall be subject to the approval of the board of trustees of the particular institution

Section 4 Form and Content of Application or Petition (a) Every application or petition shall be in the form prescribed by the department It shall state the name sex age and residence of the person sought to be admitted or committed the opinion of the applicant or petitioner that the person is an addict and is a fit subject for care or needs observation diagnosis and treatment together with the facts on which such opinion is based and such other facts as the department may require If any of the relevant facts are unknown the application or petition shall so state

(b) Every application or petition shall be signed by the applicant or petitioners in the presence of at least one disinterested witness

(c) Every application other than a voluntary application and every petition shall be sworn to or affirmed before a person authorized to administer an oath

Section 5 Physician's Certificates Penalty for False Statements (a) Every physician's certificate required by this act for the admission or commitment of an addict shall state

(1) His residence

(2) That he has resided in this State for at least one years

(3) That he has been licensed to practice medicine in this State

(4) That he has been in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution

(5) That he is not related by blood or marriage to the addict and applicant

(6) That he is not connected in any way as medical attendant or otherwise with the institution to which application or petition has been made for the admission or commitment of the addict

(7) That he has examined the addict with care and diligence within a week of making the certificate

(8) That in his opinion the person sought to be admitted or committed is or is thought to be an addict or is in need of and will be benefited by care and the admission or commitment applied or petitioned for

(9) The information relative to the addict given him by others and the facts as to the physical and mental condition and the behavior of the addict which he has observed and on which he bases his opinion and

(10) Such other information as the particular request for admission or commitment or as the department may require

(b) No such certificate shall authorize the admission or commitment of an addict unless such addict is submitted or committed within two weeks of its date

(c) Any physician who falsely certifies to the drug addiction of any person or whose false certificate as to the drug addiction of any person is proved to be the result of negligence or deficient professional skill or who signs such a certificate for a pecuniary reward or promise thereof or other consideration of value or operating to his advantage other than the professional fee usually paid for such service shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed five hundred dollars or to imprisonment not to exceed one year or both

Section 6 Bond No addict shall be admitted to any State institution on his voluntary application until a bond in the amount of five hundred dollars payable to the Commonwealth conditioned on the payment of the costs of his care and maintenance at the full rate established by the Department of Welfare has been furnished to the superintendent of the institution to which he has applied for admission

Section 7 Limits of Detention (a) No addict admitted on a voluntary application or without a court order shall be detained longer than ten days after he or his applicant

for admission has petitioned the superintendent in writing for his discharge

(b) Every addict committed for observation diagnosis and treatment shall be so committed for a definite period not to exceed two (2) years by order of court and shall be discharged at the end of such period

(c) Every addict committed other than for observation diagnosis and treatment shall remain in an institution until the superintendent thereof certifies to the committing court that care is no longer beneficial or necessary to him the committing court shall then order his discharge under such supervision and restriction as it may impose

Section 8 Costs Liability for all costs of care of any addict except as otherwise ordered by a committing court in an institution is hereby imposed in the following order against

(1) The addicts real and personal property

(2) The persons liable for the addict's support or in the case of a temporary admission if there be no such persons the persons who apply for his admission

(3) The county or institution district in which he resides

(4) The Commonwealth

Section 9 Habeas Corpus (a) Any addict or person acting on his behalf may petition any court for a writ of habeas corpus on the grounds that the addict is unjustly deprived of his liberty The petition shall be in writing and shall be sworn to or affirmed

(b) On the petition the court shall issue a writ of habeas corpus requiring the addict to be brought before the court for a public hearing where the question of his admission may be determined The burden of proof shall rest upon the persons responsible for his admission or commitment

Section 10 The sum of forty-five thousand dollars (\$45,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years beginning the first day of June one thousand nine hundred and fifty-one for the purpose of carrying out the provisions of this act

Section 11 General Repeal All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

#### YEAS—48

Bane.	Haluska.	McPherson, Jr.	Stiefel.
Barr.	Holland.	Meade.	Taylor.
Barrett.	Kephart.	Neff.	Toole.
Berger.	Kessler.	Pechan.	Wade.
Blas.	Lane.	Peelor.	Wagner.
Byrne.	Leader.	Probert.	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Dent.	Mallery.	Ruth.	Wolfe.
DiSilvestro.	McCreesh.	Silvert.	Wood.
Fleming.	McGinnis.	Snowden.	Yosko.
Freed.	McMenamin.	Stevenson.	Hare.
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.



## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 819, on third reading, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 837, as follows:

An Act making it unlawful to print or otherwise produce wall charts tip sheets scratch sheets bookmaking tickets or other items in furtherance of illegal gambling or to transport sell or possess the same and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whoever prints mimeographs lithographs photostats produces or reproduces in any manner or sells possesses or transports within this State any wall charts tip sheets scratch sheets bookmaking tickets or any product or item relating to horse races which have for their purpose the aiding or furtherance of illegal gambling or furnishes to a printer or other producer any printing or copy or information in any form for use in the production or reproduction of such items shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay the costs of prosecution and a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000) or to undergo imprisonment for a period not to exceed twelve months or both in the discretion of the court

Section 2 It is declared by the Legislature that printed information referred to in section one of this act programming horse racing entries at various tracks jockeys probable odds withdrawals selections or one or more of these items whether or not with special identifying numbers are closely interrelated with and are designed primarily to serve the interests of illegal off-track gambling through bookmakers whose operations are synchronized or geared to "wire service" radio telephone and other means of communication carrying racing information and and therefore deemed unlawful

Section 3 This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace safety and morals of the people and all of the provisions herein shall be liberally construed for the accomplishment of this purpose

Section 4 Nothing in this act shall be construed as amending or repealing any other law relating to gambling or to bar the prosecution and enforcement of penalties provided by other laws but is intended to be supplemental to such laws

Section 5 Nothing in this act shall be construed to prohibit any newspaper or magazine of general circulation from printing in its regular issues any news information pictures or editorial comment relating to horse races

Section 6 The provisions of this act shall become effective thirty days after final enactment

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McGINNIS. Mr. President, I am going to vote "no" on this bill. I feel that when a Member of my party starts out to be a reformer to make the rest of us good, I could do a better thing; I could present a bill to re-enact the Ten Commandments and then go home.

Mr. President, I know that there is criticism about getting these racing sheets, and I notice there is an amendment in the bill that allows newspapers of general circulation to publish these reports. I am one of those who feel that every man, high or low, no matter what he does, should have a change and some recreation in this world. In fact, I know men who have two jobs, who work all day long until they are exhausted and nervous, and they take another job and maybe work until twelve o'clock at night, an entirely different job, for relaxation. There are a lot of people in the State of Pennsylvania who have no amusement, they go home from their work, they do not know what to do, and thousands of them pick up the racing sheets. They do not bet anything, but they know the horses and they love those horses.

Now, Mr. President, I want to say to you that it is not right for us to enact legislation in this Senate to deny those people this information. I refer to those people who do not have city newspapers but somehow they do get these racing sheets, and they know every horse on that sheet. Just like children, they watch the winners and the losers, and why deny, why deny working men, miners, mill men, the right to read a racing sheet at night? Maybe they do bet.

You know, Mr. President, I have always voted for race tracks in Pennsylvania. If we had three race tracks in Pennsylvania, a lot of men have told me this, we could have one near Pittsburgh, one near Hershey and one near Philadelphia, say, have racing two seasons of the year or maybe one season of the year, and let the people go there and see the horses. I have often been told that a child who loves a horse will be a good citizen, and do you know that today unless we have race tracks—maybe on television now they can see horses—but if we do not have race tracks in Pennsylvania there are a lot of our children who will never see a horse.

Now, Mr. President, I move that this bill be recommended to the Committee on Law and Order.

The PRESIDING OFFICER. The Chair regrets to inform the gentleman from Allegheny that there is nothing in order but the roll call.

Mr. ROSENFELD. Mr. President, I, too, am going to vote against this bill. I not only subscribe to the practical features referred to by my colleague from Allegheny, Senator McGinnis, but I would like to bring this to the attention of the Senate, if they are in the mood to listen, that this bill is unconstitutional from beginning to end.

Mr. President, I would like to refer you to the title first, which refers to illegal gambling, and then to the sections in the bill which talk only of horse racing. Now, it would appear to me that there is quite a variance between the title and the balance of the bill, because there is nothing else in the rest of the act that is considered to be illegal except these tip sheets scratch sheets, score sheets, or whatever they may be, that relate to horse racing. There is nothing in here about tip sheets or wall charts, if they have any which relate to basketball, or dog racing or any other form of sport that may be prevalent today. For that reason, I do not think the bill is constitutional.



Mr. President, I do not think this bill is constitutional for another reason. I do not think it is constitutional because there is nothing inherent in a piece of paper, and I assume these are pieces of paper of various sizes or pieces of cardboard, as they tell me, of varying colors with printed matter on them, which in itself is not used in gambling. It merely contains information, and I do not know how we, sitting here in this Senate, can say that such a piece of paper becomes the subject of an unlawful act, or that it in itself is an unlawful act. So, I think from that standpoint it would be unconstitutional.

Finally, Mr. President, and I will revert now to the practicalities of the problem as Senator McGinnis so ably pointed out to you, if you are really anxious to hurt the bookie, who is the gambler that I think we are all after, you are helping him if you eliminate pieces of paper containing this kind of information, because then to the uninitiated he has to depend purely on luck and those of us who have tried to depend purely on our luck in the past know how far we can get. I think we are all being ridiculous, if we honestly, sincerely, and seriously, think we are doing something constructive in passing this kind of a bill.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Rosenfeld, permit himself to be interrogated?

Mr. ROSENFELD. I will, Mr. President.

Mr. WALKER. Mr. President, I understood the gentleman to say that without these tip sheets we would have to depend on luck. May I ask the gentleman what you depend on even after you have the sheets?

Mr. ROSENFELD. Mr. President, if he has ever been to a race track or bet on a race, he realizes that the whole atmosphere is one of psychology. If he has to depend on making the choice himself and he loses, then his ego is terribly hurt, but if he buys one of these wall charts, or tip sheets or scratch sheets, he has something else on which to vent his feelings and that, Mr. President, makes him feel much better. If Senator Walker wants to take that pleasure away from these individual who cares to participate in this, then I feel sorry for him.

Mr. WALKER. Mr. President, may I say to the gentleman from Philadelphia, I have no desire to take any of his drifting pleasures away from him, and I want to assure the gentleman that his ego may suffer or may not suffer, but he would do a lot better if he would depend upon the tips, that Frankie Price gives him every morning.

Mr. ROSENFELD. Mr. President, I would like to say that I think Frankie refers to tip sheets, scratch sheets and wall charts.

#### POINT OF INFORMATION

Mr. LANE. Mr. President, I rise on a point of information.

The PRESIDING OFFICER. The gentleman from Washington, Mr. Lane, will state his point of information.

Mr. LANE. Mr. President, what are we voting on, the motion to recommit or the bill?

The PRESIDING OFFICER. The bill was finally agreed to on Third Reading. There is nothing in order now but the roll call.

Mr. DENT. Mr. President, I could interrogate the gentleman from Blair County, but I know it would be em-

barrassing to everyone in the Senate. However, I just want to say this. I do not know what the implications are from this kind of legislation, and I do not know much about horses and that can be proven.

Mr. President, the one thing I want to do is call attention to the fact that in the Senate tonight a gentleman, a member of the Senate, made a talk that seemed to invoke a great deal of laughter and was taken more or less in a vein of hilarity. Probably that is the way it should be treated, I do not know, but I want to tell you what I was impressed with in Senator McGinnis' talk. Senator McGinnis' talk was not entirely directed at this particular bill. Studying the few remarks that he made, I gained a bit of knowledge, of which I am sure that I am right, that what Senator McGinnis was telling the Senate of Pennsylvania was that the liberties which we have fought and bled and cried for from every platform and speaking forum in the past one hundred and sixty odd years in this Country, are being slowly but surely taken from the individual citizen. We are now living in an age that is designed in a reform mode, and maybe that will be good. Perhaps it will be better for all of us, and gentlemen like Senator McGinnis, who has reached past that stage of life when youth is hanging around the fringes, rebels at the thought that perhaps this liberty now, another liberty tomorrow will be removed, and I wonder sometimes what we mean by talking about this way of life.

Mr. President, in my own philosophy I do not believe that anything is wrong which an individual does unless in what he is doing he is taking from society something that does not belong to him. If I have certain personal habits, they are my habits, and I have a right to enjoy them so long as I do not take from my neighbor that which is my neighbor's, and do not impose upon general society some kind of a cross or burden that is not proper. Of course, that is philosophy which probably would not be very popular today, and I know that no matter what I say, it will be misconstrued and misconstrued, and the headlines will probably carry something other than what I intended to say. I only know this, that deep down in the heart of Senator McGinnis is the same feeling that is beating in mine, that we are slowly taking away from the individual the personal rights, the personal prerogatives that are supposed to be endowed in each and every one of us by the rights contained in the Declaration of Independence and as exemplified by the Constitution of the United States. There are many men in this room who will live to see the day that these simple rights, which now could appear to be so wrong, will be constrained within the lines of behavior, and as we go down the future pathroads we will discover that the only vicarious thing that we receive will be in reading what happened in past generations.

Mr. President, some of you must not analyze my remarks to the extent of the depth of what I am trying to reach you with, but just as seriously and sincerely as I have ever been in my life, I want to say to all of you that each and every day in our weak way we are allowing the personal liberties and the personal rights of individuals to be taken from them. Sure, there are a group of people who do not believe that any other person ought to even take a drink of any kind. I say this, that an individual, so long as he takes that drink and does not



hurt society, has a right to do it and he has a perfect right not to take it if he so desires. That, to my mind, is personal privilege and personal liberty.

Mr. President, I do not know anything about this bill except that I do think it was introduced in a sincere effort to correct what this particular Senator thought was an evil thing, but I am also just as much convinced that it is now appearing on the Senate Calendar in an insincere effort to create some kind of a punitive piece of legislation, maybe, to embarrass or injure somebody who somebody is aiming some darts at. It does not interest me why the bill was put in, why it is being passed or defeated. That is not the point that Senator McGinnis, to my mind, was trying to make. Although a lot of us laugh like the hollow yell in a rain barrel, none of us realize that this elder statesman was trying to tell us in a very few words that we, the younger generation,—I might say now that I am the middle aged generation—are trying to stop each and every personal liberty that each and every individual ever enjoyed. We are doing it slowly but surely and there will be a day when that kind of slavery of personal privileges, which every honorable man has abhorred since the beginning of time, will be strapped upon the shoulders of individuals by legislative action, because men have not had the courage to stand up and say that the individual's right to pursue his own field of happiness is his own personal privilege.

Mr. President, they tried the "Noble Experiment" in this Country, and for a great many years those of us who lived through the generation of prohibition were a misled, misguided youth, and because it was prohibited we thought it was some sweet morsel that we should taste. I think that during the days of prohibition there was a greater number of drunkards than there ever has been in any other similar period in the history of this Country. So, you drive this particular vice, as somebody calls it, underground and you do not print any more so-called sheets that might give information to somebody who wants to indulge in the pastime of looking at what the results were at a race track. As a result, they go over to New Jersey and get them there. They send them through the mail, and they get the same thing.

Mr. President, I want to say to the newspapers, if they can curtail this one particular privilege, they can tomorrow stop you from printing stories that are not true, and that would be disastrous. Newspapers are exempt if they are of general circulation, I understand that, but that is the point which makes this bill so ridiculous. Is there any information in any one of these sheets—I do not even know the name of them—that you cannot get in a newspaper? I will present to the floor of this Senate, within five minutes, tomorrow morning's papers and give you what they call the morning line, or something, on every race track running within a betting distance of Pennsylvania.

Mr. President, let us not be naive in this matter. If you want to stop race information, if you want to stop that, then stop it all the way through. All that you have to do, in my opinion, to circumvent this law is to take the so-called racing information and incorporate it in a paper of general circulation, and then you have the information that people may use if they so desire. Not being an habitual horse race bettor, I am not too well acquainted with what knowledge you can gain, but I can assure you

of this, it cannot be very accurate, because more people lose than win at race tracks, and more people, lose than win at the betting game. Anybody that gambles very seriously, in my opinion, needs a medical examination. You do not get anything for nothing in this world, whether it is by gambling or any other process. I do not believe in it, so I do not care what you do, but I just do not like fakery and I do not care what form fakery takes.

Mr. President, I say I may be condemned for this, but I say that I have no right to take away from future generations any of the privileges of personal rights and personal liberties which I myself have enjoyed. If they are there for me to use, then I am going to see to it that the future generations also have them to use. They can let them alone if they want to, but I am not going to take them from any one by my vote.

Mr. STIEFEL. Mr. President, I am constrained to vote against this bill because I confess I do not understand its meaning. To me it is all Chinese, and I would need a dictionary to understand it. All this language is strange, and to vote for a bill that you do not understand would be silly.

Mr. President, for this reason I have either the alternative of voting "present" or voting "no," and because of that, because I do not understand the meaning of the bill and, in my opinion, it is trivia, I will vote "no."

Mr. YOSKO. Mr. President, I said before, and I say again, that I have been for this bill since it was reported out of committee. I gave my reasons for introducing the bill this afternoon, and I told you how I was ignored when the bill was reported from committee but I just want to say this. It was not too long ago that the whole country was up in arms about racketeering in the United States, and it involved the bookie just as it involved other forms of racketeering. I do not want anybody in this Chamber to think that I am trying to be a reformer, because I am not.

Mr. President, I said I was for legalizing horse racing in Pennsylvania, and there was a bill prepared to make that possible. I said, too, if we did not want legalized horse racing, let us get rid of the racketeer that everybody is up in arms about all over the United States. Public hearings were held by a Congressional committee. They were televised all over the United States, and, according to newspaper reports, those hearings had the greatest audience in the history of this Country on any event that was ever televised. The Kefauver Committee, as I said before, did something about stopping this racketeering, and if anybody read the Kefauver Committee Report they will find that there was a recommendation made to the local legislatures to do something about it locally.

Mr. President, here we are. We have been in Session for almost twelve months. What have we done about racketeering? Have we set up a crime investigating committee, as was set up by many of the legislatures in the other states? Of course, we have not, in spite of the fact that resolutions have been introduced to that extent. The Criminal Code, as I said this afternoon, is lying in committee. That would help take care of the racketeer, but here we are and we pick out what I would say was the weakest, and I say that now because the effectiveness of this bill to some extent was lost with Federal legislation against racketeering, but we pick out the weakest

of the legislation that is possible and bring it out here. I say, as Johnny Dent said, it was for purposes of perhaps embarrassment, but it was insincere whether it was to embarrass me with the newspapers or whether it was to try to embarrass the newspapers that probably, not probably, but that did support the Democratic Party last November. I do not know, which but it is here. It is out here on the floor, and I have had any number of Senators come to me and talk to me about it, and after I told them that I was not consulted about this thing, of course, they looked at it in a different light.

Mr. President, there were statements made to the newspapers that this was a good bill by the gentlemen from the other side. They said it would close up the loopholes that might exist in the enforcement of the law which affects this particular type of racketeer. No, I am not against the newspapers of general circulation listing the entries and the races of publicizing the results of a race. When I wrote to Florida for a copy of the bill that was passed there by the Legislature and vetoed by the Governor, every line that had "newspaper" in it, and the words before and after, that were related to newspapers, I had the Legislative Reference Bureau strike out so that the newspapers of general circulation which print news, the news of the day, would not be affected by their usual policy of printing the entries in a horse race or the results after a horse race.

Mr. President, if this bill is going to do what the spokesmen for the other side said it was going to do in the newspapers, close up the loopholes which might exist in connection with Federal legislation that has been passed, then I see nothing wrong with the bill, and I ask every Member of this Senate to vote for it, but in the same breath I say, let us get some of the other legislation which will curb racketeering in Pennsylvania out on the floor and let us vote on it, too. Let us not just enact the weakest bill that was introduced here on that subject, and when I say the weakest bill I say that because it has been weakened by legislation already passed by Congress which compels the racketeer to do certain things before he can operate. One of the most effective things that he must do is identify himself so that the local police, and all police and all enforcement officers will know exactly what business he is engaged in. On top of that he is compelled to pay a tax to the government from the business in which he is engaged and from the profits that he reaps.

Mr. LANE. Mr. President, several weeks ago we passed legislation which made it mandatory that the names of relief recipients be published in public places. I said at that particular time that it was a step in the wrong direction. I was overruled, and quite a number of the Members of the Senate took the position that it was a step in the right direction.

Mr. President, I also said at that particular time that something should be done in this Senate about the racketeers and stumble bums who inhabit Pennsylvania. If this legislation will corral them or bring them to justice, I, for one, am going to vote for it.

Mr. President, I have listened to the prior speakers and, so help me, I do not know whether they are for or against it, but I, for one, am going to cast my vote in support of this legislation.

And the question recurring,  
Shall the bill pass finally?

(During the calling of the roll the following occurred:)  
Mr. ROSENFELD. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Chapman,	Letzler,	Propert,	Watson,
Dent,	Mahanay,	Snowden,	Wolfe,
Fleming,	McMenamin,	Stevenson,	Wood,
Haluska,	McPherson, Jr.	Taylor,	Yosko,
Kephart,	Meade,	Wade,	Hare,
			Presiding Officer

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Barr,	Mallery,	Neff,	Silvert,
Barrett,	McCreesh,	Rosenfeld,	Stiefel,
DiSilvestro,	McGinnis,	Ruth,	Toole,
Holland,			

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Walker,
Chapman,	Letzler,	Propert,	Watson,
Dent,	Mahanay,	Snowden,	Wolfe,
Fleming,	McMenamin,	Stevenson,	Wood,
Haluska,	McPherson, Jr.	Taylor,	Yosko,
Kephart,	Meade,	Wade,	Hare,
			Presiding Officer

#### NAYS—13

Barr,	Mallery,	Neff,	Silvert,
Barrett,	McCreesh,	Rosenfeld,	Stiefel,
DiSilvestro,	McGinnis,	Ruth,	Toole,
Holland,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### REASONS FOR VOTE

Mr. HOLLAND. Mr. President, I wish to register the reason why I voted against this bill. I think it is very silly to have a bill that makes unlawful the printing of information on horse racing in tip sheets. I think that is what you call them, I am not a follower of the horses. It states that this is illegal if it is done by a separate tip sheet. Well, at the same time we give the right to the newspapers to carry exactly what the tip sheets, I understand, contain in the gambling rooms or the horse rooms. So, I do not see what good it would do because all the gambler would do, it seems to me, would be to cut the



tip sheets or the schedule of races and the tips from the newspapers, and take them over to a gambling room and tack them on the wall in place of the tip sheet.

Mr. President, I do not think this bill does anything, but it is just merely turning into a farce because it says if a newspaper does it, it is legal. If someone else does it, it is illegal, and that to me does not sound like good sense.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 875, as follows:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any persons having the desire to provide for the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania through the solicitation of private capital may form an association for such purposes Such association shall have as its officers a president secretary and treasurer and such others as may be desirable It shall register with the Department of Public Instruction and comply with the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" and its amendments notwithstanding any exceptions in such act

Section 2 Such association may do all things necessary and relevant to soliciting donations of private capital contracting for and erecting such memorial chapel The plans for such chapel shall be first approved by the Department of Property and Supplies and the Secretary of Health and the location of the building on the grounds of the institution shall be approved by the Secretary of Health

Section 3 In such memorial chapel as a permanent part thereof there shall be a bronze plaque listing the names of the persons in whose memory the donations toward the erection of the chapel are made

Section 4 Upon erection of such memorial chapel the Secretary of Health on behalf of the Commonwealth of Pennsylvania is hereby authorized and empowered to accept the same

Section 5 Such acceptance shall be made in such manner and in such form as is approved by the Department of Justice

Section 6 Upon acceptance the Department of Health shall have full control supervision and management thereof for use in connection with the State tuberculosis sanatorium at Hamburg Pennsylvania

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,

DiSilvestro,  
Fleming,  
Freed,

McCreesh,  
McGinnis,  
McMenamin,

Silvert,  
Snowden,  
Stevenson,

Wood,  
Yosko,  
Hare,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 899, as follows:

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article five of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 516 thereof a new section to read as follows

Section 516.1 Attendance at Meetings of Educational or Financial Advantage to District Expenses When in the opinion of the board of school directors attendance of one or more of its members on any meeting held within the Commonwealth (other than annual State and county conventions of school directors and meetings called by the county superintendent) will be of educational or financial advantage to the district it may authorize the attendance of one or more of its members at such meeting not exceeding two meetings in any one school year Each person so authorized to attend and attending shall be reimbursed for all expenses actually and necessarily incurred in going to attending and returning from the place of such meeting but not exceeding eight dollars (\$8) per day together with mileage at the rate of six cents (\$.06) for each mile in going to and returning from each meeting Each person so authorized to attend and attending shall be reimbursed for all necessary traveling and hotel expenses actually incurred in either event such expenses shall be paid by the treasurer of the school district in the usual manner out of the funds of the district upon presentation of an itemized verified statement of such expenses

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,



DiSilvestro, Fleming, Freed.	McCreesh, McGinnis, McMenamin,	Silvert, Snowden, Stevenson.	Yosko, Hare, Presiding Officer
------------------------------------	--------------------------------------	------------------------------------	--------------------------------------

## NAYS—1

Wood.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 916, as follows:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the over-all limit of tax revenues

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection C of section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" as last amended by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (Act No. 430) is hereby further amended to read as follows

## Section 1

\* \* \* \* \*

C Over-all Limit of Tax Revenues The aggregate amount of taxes imposed by enactment of an ordinance or resolution by any political subdivision under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivisions at the time of the said enactment by [ten (10)] fifteen (15) mills in case of cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class [and] townships of the second class and [by fifteen (15) mills in cases of] school districts of the second class third class and fourth class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—40

Bane, Barr, Barrett, Berger, Byrne, Chapman, Crowe, Dent, DiSilvestro, Freed.	Holland, Kephart, Leader, Letzler, Mahany, McCreesh, McGinnis, McMenamin, McPherson, Jr. Meade,	Neff, Pechan, Peelor, Propert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Stiefel, Toole, Taylor, Wagner, Walker, Watkins, Watson, Wolfe, Yosko, Hare, Presiding Officer
--	--	---	--

## NAYS—8

Blass, Fleming,	Haluska, Kessler,	Lane, Mallery,	Wade, Wood,
--------------------	----------------------	-------------------	----------------

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1065, on third reading, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1066, on third reading, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1073, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire an unimproved tract of land in Franklin County for the use of the Pennsylvania Soldiers' Orphan School and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain unimproved tract of land in Franklin County Pennsylvania presently owned by C W Cooper and Lillian M Cooper containing (16) acres more or less and being adjacent to the Pennsylvania Soldiers' Orphan School Scotland Pennsylvania bounded on the South by the Pennsylvania Railroad on the West by land of Robert H Frecon on the North by the Conocheague Creek and on the East by lands of the Commonwealth of Pennsylvania for use of the Pennsylvania Soldiers' Orphan School

Section 2 Said unimproved tract of land when purchased shall be added to the lands of the Pennsylvania



Soldiers' Orphan School Scotland Pennsylvania The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of two thousand eight hundred dollars (\$2800) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said unimproved tract of land and the expenses incidental thereto including title searches

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1121, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1122, on third reading, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1126, on third reading, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1127, on third reading, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1130, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1135, as follows:

An Act to amend the title and Sections 2 and 3 of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" by authorizing the State Council to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind accept Federal funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 2 and 3 of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" are hereby amended to read as follows

#### An Act

Creating a revolving fund in the State Treasury to be used by the State Council for the Blind to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise stock equipment and accessories necessary to operate vending or refreshment stands or other suitable business enterprises in locations leased or arranged for by said council providing authorizing the State Council for the Blind to adopt for the payment for the lease of such equipment and accessories and for repayment of such advancements rules and regulations and accept Federal funds and making an appropriation

Section 2 The State Council for the Blind is hereby authorized to purchase own install maintain and lease equipment and accessories to be used for suitable business enterprises for the blind and to advance to deserving blind persons out of moneys in the "Employment Fund for the Blind" such reasonable amounts as may be considered proper to enable such blind persons to purchase the merchandise equipment stock and accessories neces-

sary to put into operation a vending or refreshment stand or other suitable business enterprises in some suitable location to be leased or arranged for by the state council Pennsylvania blind veterans of the World Wars shall be given first preference for locations established in accordance with the provisions of the Federal Randolph-Sheppard Act and the rules and regulations pursuant thereto

Such business enterprises shall be approved by the State Council for the Blind and supervised periodically by the council or its agents

The leases or permits for the installation and operation of any such stands or other suitable business enterprises shall be secured by the State Council for the Blind in its own name

Any moneys advanced to a blind person under the authority of this act shall be repaid by such person in monthly installments which shall in no case be less than two per centum (2%) of the gross monthly sales made at the stand or business in question

Equipment and accessories purchased owned installed and maintained by the State Council for the Blind may be leased to deserving blind persons for an amount not to exceed four per centum (4%) of the gross monthly sales The council shall periodically regulate the rental fee charge in such a manner that the fund shall at no time exceed fifty thousand dollars (\$50,000) The State Council for the Blind shall transmit all such repayments and rental fees into the State Treasury where they shall be credited to the "Employment Fund for the Blind"

Section 3 The State Council for the Blind is hereby authorized to take any action and to adopt suitable rules and regulations necessary to facilitate the operation of this act and in furtherance of those objectives to accept any grants or contributions from the Federal Government or any agency thereof Any such grants or contributions shall be held by the State Treasurer as custodian for the State Council for the Blind and shall be paid out on requisition of the State Council for the Blind without further appropriation

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolf,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1138, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forest and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1141, on third reading, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The senate proceeded to the third reading and consideration of House Bill No. 1142, as follows:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to carry into effect the act of Congress approved July second one thousand eight hundred sixty-two granting public land to the several states for educational purposes and subsequent acts of Congress related thereto and the act of the Legislature of Pennsylvania approved the first day of April one thousand eight hundred sixty-three and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the State to carry the same into effect the sum of sixteen million dollars (\$16,000,000) is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred fifty-one to the trustees of The Pennsylvania State College for the following purposes

(1) For the general maintenance of instruction research and extension in the School of Agriculture the Mont Alto State Forest School the School of Engineering the School of the Liberal Arts the School of Home Economics the School of Mineral Industries the School of Chemistry and Physics the School of Education the Graduate School the School of Physical Education and Athletics for the general maintenance of other schools departments offices and services including repairs and improvements to the grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable the sum of fifteen million six hundred and five thousand dollars (\$15,605,000)

(2) For the use of the school of Agriculture for expenditure by the Agricultural Experiment Station for the support of research and investigation directed toward the development and production of superior strains of crops and livestock and to develop more efficient methods of producing and marketing such products the sum of one hundred fifty thousand dollars (\$150,000)

(3) For the maintenance and the support of research



and experimental investigation on problems relating to the petroleum industry of the State the sum of fifty thousand dollars (\$50,000)

(4) For the purpose of carrying on research and investigation to discover by-products of anthracite and bituminous coal and uses therefor of developing new scientific chemical industrial domestic and other uses and new and extended markets for anthracite coal and its products and for employing engineers chemists technical experts assistants clerks stenographers and other employees and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation to be used by the School of Mineral Industries under the supervision of the State Department of Mines the sum of seventy thousand dollars (\$70,000) Provided That the moneys appropriated by this clause shall be available and expended only to the extent that a sum equal to fifty per centum of the amount to be expended by the Commonwealth is contributed to The Pennsylvania State College by the members of the anthracite and bituminous coal industry Affidavits evidencing such contributions shall be submitted by the College to the Auditor General

(5) For the support of research and investigation of basic problems affecting the slate and other non-metallic mineral industries the sum of thirty-five thousand dollars (\$35,000)

(6) For the support of research and investigation of long range basic problems affecting the mineral industries the sum of thirty-two thousand five hundred dollars (\$32,500)

(7) For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of fifty-seven thousand five hundred dollars (\$57,500) Provided That no more shall be expended from this item than may be required to match an equal sum contributed to the College by one or more industries for such research and investigation Affidavits evidencing such contributions shall be submitted by the College to the Auditor General

And said bill having been read at length the third time, and agreed to;

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,	Stevenson,	Hare,

Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1143, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boys' Dormitory

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1144, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefore and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1146, on third reading, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1147, on third reading, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1148, on third reading, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 1149, as follows:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-seven thousand five hundred dollars (\$97,500) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the purpose of revising the elementary secondary and vocational curricula in the public schools of the Commonwealth in accordance with the provisions of Act 551 approved July seven one thousand nine hundred forty-seven (Pamphlet Laws 1427) for the two fiscal years commencing June first one thousand nine hundred fifty-one

Section 2 All moneys collected from the sale of any publications issued pursuant to said act shall be paid into the General Fund and credited to the foregoing appropriation and are hereby appropriated for the same purposes in addition to the amount hereinbefore appropriated

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mallery,	Rosenfeld,	Watson,
Dent,	Mahanay,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1150, on third reading, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1152, as follows:

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of children physically handicapped by speech and hearing defects at rehabilitation centers provided by the Department of Public Instruction and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the

laws relating thereto" is hereby amended by adding after Section 1372 thereof a new section to read as follows

Section 1372.1 Speech and Hearing Rehabilitation Centers The Department of Public Instruction is hereby authorized to provide maintain administer supervise and operate speech and hearing rehabilitation centers for the proper training of children physically handicapped by speech and hearing defects pupil eligibility for such centers shall be determined according to standards and regulations promulgated by the State Council of Education

Section 2 The sum of one hundred fifty thousand dollars (\$150,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the purpose of paying salaries wages postage printing and other necessary expenses incurred in the operation of Speech and Hearing Rehabilitation Centers for the two fiscal years beginning June first one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1165, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1166, as follows:

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law



The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars (\$1,000,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the payments to the School Districts on account of obligations to the Public School Building Authority as provided by law for the two fiscal years beginning June first one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1178, on third reading, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1188, on third reading, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1189, as follows:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the two (2) fiscal years beginning June first one thousand nine hundred fifty-one to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks whose owners are known or unknown from the tideway of the Delaware River and its navigable tributaries

Section 2 Where the owner or owners of any sunken wreck which has been removed by or on behalf of the Navigation Commission of the Delaware River and its Navigable Tributaries is or are known or can be ascertained the costs and expenses of said removal together with interest at the rate of six (6) per centum per annum and an Attorney General's commission of ten (10) per centum shall be recovered for the Commonwealth by the Attorney General from the said owner or owners and paid into the General Fund of the State Treasury In such case the Court of Common Pleas of Dauphin County and the court of common pleas of the county adjoining that portion of the navigable stream where the sunken wreck may have been located are hereby given concurrent jurisdiction

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1217, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1224, as follows:

An Act making an appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred ninety-eight thousand dollars (\$998,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof for the two fiscal years beginning June first one thousand nine hundred fifty-one

Section 2 No financial aid shall be given under this act to a school district unless the conditions and provisions set forth in subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) as amended are compiled with

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1397, as follows:

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million nine hundred fifty-five thousand dollars (\$3,955,000) or as much thereof as may be necessary is hereby appropriated to the State Council of Civil Defense for the two fiscal years beginning June first one thousand nine hundred fifty-one

(a) A total not to exceed one million two hundred thousand dollars (\$1,200,000) for the purpose of paying salaries wages postage printing and other necessary expenses incurred by said council for its basic civil defense program including administration operation of an aircraft observation and warning system training of key civil defense workers and coordination of local civil defense activities throughout the Commonwealth and

(b) A total not to exceed two million seven hundred and

fifty-five thousand dollars (\$2,755,000) to be held in reserve for the purpose of employing temporary workers renting or purchasing outright or with Federal grants-in-aid such equipment materials and supplies as may be required to meet actual disaster or the threat of immediate disaster

The appropriation made under this clause (b) shall be used only upon allocation by the State Council of Civil Defense and approval of the Governor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

#### SENATE 25

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1423, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1438, as follows:

An Act making an appropriation to the Local Government Commission to continue its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-nine thousand dollars (\$29,000) or so much thereof as may be necessary is hereby specifically appropriated to the Local Government Commission created by the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" for the two fiscal years beginning June



first one thousand nine hundred fifty-one to continue the work of the commission for the preparation of a general municipal code for supplying information regarding local government in this Commonwealth and for the payment of the expenses of the members of said commission for the payment of the compensation and expenses of the secretary counsel and other appointees of the commission for printing postage supplies telephone telegraph and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of said act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bano,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1444, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Shippensburg State Teachers College to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County Pennsylvania and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Shippensburg State Teachers College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land situated in Cumberland County Pennsylvania known as the Reisner field of approximately fifteen and seventy-five one hundredths (15.75) acres and being contiguous to the present property of said college so as to make use of said land for the purpose of developing parking facilities and playground facilities and other maintenance operations of said college

Section 2 Said tract of land when purchased shall be added to the lands of the Shippensburg State Teachers College The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The land shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of six thousand seven hundred fifty dollars (\$6,750) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bano,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Presiding Officer
Freed,	McMenamin,	Stevenson,	Yosko,
Hare,			

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1488, on third reading, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1494, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1541, as follows:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the Incodel Plan a four-State compact between New York New Jersey Delaware and Pennsylvania for the purposes of developing utilizing controlling and conserving the water resources of the Delaware River Basin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred fifty thousand dollars (\$350,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund

to the Department of Forests and Waters for the payment of the expenses of the committee members and for the payment of salaries wages or other compensation of engineers attorneys and other employees necessary for the study of the water resources of the Delaware River Basin including the Incode Plan a four-State compact between New York New Jersey Delaware and Pennsylvania for the purposes of developing utilizing controlling and conserving the water resources of the Delaware River Basin and for other necessary expenses of the committee for the two fiscal years beginning June 1 1951

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,	Stevenson,	Hare,

Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1582, as follows:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and forty thousand dollars (\$140,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to purchase with the approval of the Governor and the Board of Trustees of Thaddeus Stevens Trade School in the name of the Commonwealth from the County of Lancaster that plot of ground formerly used as the Childrens' Home of Lancaster County situate in the City of Lancaster Pennsylvania containing approximately 8 and  $\frac{3}{4}$  acres and having thereon erected a 3 and  $\frac{1}{2}$  story brick dormitory building and two 2 and  $\frac{1}{2}$  story brick dwellings and other appurtenances more fully described as follows

Beginning at a point the corner of East End Avenue and South Ann Street and extending South along Ann Street a distance of 524.8 feet to property of William C. Wagner thence East a distance of 160 feet to a point thence

South 440 feet to Dauphin Street thence East along Dauphin Street 306 feet to South Marshall Street thence along South Marshall Street North 964.8 feet to East End Avenue thence along East End Avenue West 466 feet to the place of beginning

Section 2 Such plot of land when purchased shall be added to the lands of the Thaddeus Stevens Trade School The deed of conveyance shall be deposited with the Secretary of Internal Affairs Such land shall not be acquired until the title thereto has been approved by the Department of Justice

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1654, as follows:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars (\$300,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Joint State Government Commission of the General Assembly for the payment of wages and other compensation of employees and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred by said Commission and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one to be paid on warrants of the Auditor General in favor of the Chairman of said Commission on the presentation of his requisition for the same The Chairman shall file an accounting of said expenses with the Auditor General

Section 2 Effective Date This act shall become effective immediately upon its final enactment



And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1706, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Hazleton State Hospital to acquire three tracts of land for the use of the Hazleton State Hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Hazleton State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania three tracts of land in Luzerne County Pennsylvania the first tract being bounded and described as follows

Beginning at a point in the southerly line of Mine Street where the same is intersected by the northwesterly line of lands of Lehigh Valley Railroad Company (formerly occupied by the Hospital Branch of the Lehigh Valley Railroad) thence (1) South fifty-two degrees forty minutes East along the said southerly line of Mine Street a distance of thirty-three (33) feet to its intersection with the easterly line of East Street thence (2) North thirty-six degrees fourteen minutes East along the said easterly line of East Street a distance of twenty-eight (28) feet to a point thence (3) South fifty-two degrees forty minutes East through lands of Lehigh Valley Railroad Company a distance of thirty-one and five hundred sixty-one thousandths (31.561) feet to a point in the southeasterly line of lands of the Lehigh Valley Railroad Company thence (4) South forty-four degrees thirty-three minutes West along the said southeasterly line of lands of the Lehigh Valley Railroad Company a distance of four hundred eighty-four and two hundred forty-one thousandths (484.241) feet to a point in the easterly line of a proposed street thence (5) North twenty degrees six minutes West along the said easterly line of a proposed street a distance of sixty-six and thirty-nine hundredths (66.39) feet to a point in the aforesaid northwesterly line of lands of the Lehigh Valley Railroad Company thence (6) North forty-four degrees thirty-three minutes East along the said

northwesterly line of lands of the Lehigh Valley Railroad Company a distance of four hundred twenty (420) feet to the point or place of beginning Containing six hundred twenty-two thousandths (0.622) of an acre of land more or less

The second tract is bounded and described as follows

Beginning at a corner the intersection of the easterly side of East Street and the southerly side of Mine Street thence along the southerly side of Mine Street South 53° East one hundred fifty (150) feet more or less to a point in the westerly right-of-way line of the Lehigh Valley Railroad Company's so-called "Hospital Branch" thence along said right-of-way line South 43° 30' West four hundred eighteen (418) feet to the northerly side of a proposed street thence along said proposed street North 21° 54' West thirty (30) feet more or less to a point in the easterly side of East Street thence along same North 25° 30' East four hundred six (406) feet more or less to the place of beginning Containing 0.82 acre more or less

The third tract is bounded and described as follows

Beginning at a point the southeasterly corner of land conveyed to James G Walker and wife by deed dated June 27 1950 said point being also in the westerly side of a proposed street thence along said proposed Street South 68° 06' West 400 feet more or less to a point the intersection of the proposed street and the easterly right-of-way line of the Lehigh Valley Railroad Company so-called Hospital Branch thence along said right-of-way line North 43° 30' East 375 feet more or less to a point in lands about to be conveyed to James G. Walker and wife aforesaid thence along said lands South 53° East 127 feet more or less to the southwesterly corner of said Walker's lands first mentioned thence along the same South 22° 30' East 55 feet more or less to the place of beginning Containing eighth-tenths (0.8) of an acre more or less

Section 2 Said tracts of land when purchased shall be added to the lands of the Hazleton State Hospital The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until title thereto has been approved by the Department of Justice

Section 3 The sum of eleven thousand five hundred dollars (\$11,500) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tracts of land and the expenses incidental thereto including title searches

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1739, as follows:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence records reports and other pages and for studying and recommending filing systems or the use of space by departments boards and commissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000 or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of salaries of employes the purchase of supplies and equipment and the payment of all other expenses involved in conducting a service unit to be available to all departments boards and commissions for photographing correspondence records reports and papers of every description which are to be preserved for studying filing systems and preparing manuals and filing procedures and for recommending to the Governor the proper use of space by the departments boards and commissions in accordance with Act 526 approved July fifth one thousand nine hundred forty-seven

Section 2 The cost of services performed by the Department of Property and Supplies in such amount as may be approved by the Executive Board shall be billed to and paid by the department board or commission for which the service was rendered Receipts by the Department of Property and Supplies under this section shall be paid into the General Fund and credited to the appropriation made by section one of this act Such receipts are hereby appropriated for the purposes specified in section one

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelr,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### SECOND READING CALENDAR

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 478, on second reading, entitled:

An Act to amend Article X of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled, "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto," by providing for the appointment of supervisors of public school nurses, their qualifications, duties, salary, expenses and making appropriations therefor to the Department of Public Instruction.

be recommitted to the Committee on Education.

Mr. TAYLOR, Mr. President, I second the motion.

The motion was agreed to.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 811, entitled:

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executives and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 871, on second reading, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right



title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 925, on second reading, entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1422, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on

the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1468, entitled:

An Act to add section 10.1 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of the public school system.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1469, entitled:

An Act to add section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1662, on second reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1679, entitled:

An Act to further amend the last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1707, on second reading, entitled:

An Act to further amend section seven of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### MOTION TO READ BILLS THE FIRST TIME

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. ROSENFELD. Mr. President, I object to all bills being read for the first time.

The PRESIDING OFFICER. The bills will appear on tomorrow's First Reading Calendar.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, December 13, 1951, at 1 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:10 o'clock, p. m., Eastern Standard Time, until Thursday, December 13, 1951, at 1 o'clock, p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, December 12, 1951

The House met at 11:00 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Reverend William Hugh Fryer offered the following prayer:

Almighty God, from whom all thoughts of trust and peace proceed; Guide, we pray thee, with thy strong and peaceful wisdom, those who take counsel for the people of this state. And that we may worthily support them, deliver all thy people from selfishness and false ambitions. Grant that we may prepare our minds through study, our hearts through compassion and our souls through prayer and sacrament for a new world in which justice shall be assured to all and in which peace shall be enduring; Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, December 11, 1951? If not, and without objection, the Journal is approved.

## RESOLUTIONS INTRODUCED AND REFERRED

By Mr. JOHN C. MILLER.

(Concurrent) RESOLUTION No. 84

In the House of Representatives, December 11, 1951.

Whereas, The problem of efficiency in government has not kept pace with the efficiency and speed of modern day life; and

Whereas, Not only bureaucracy in administration but duplication, overlapping, high expense and lethargy on the part of individual members having seeped into and overtaken much of the legislative process of this and other states; and

Whereas, It is of great importance to the citizenry of this Commonwealth to install a small, compact legislative body, readily responsive to the calls of duty, economy and efficiency in its work of general supervision of the government of the Commonwealth through the enactment of laws which effect the daily lives of all Pennsylvanians; therefore be it

Resolved, (if the Senate concur), That the Joint State Government Commission is hereby directed to study the possibility and problems involved in the changing of the Legislature of Pennsylvania from a bicameral to a unicameral body similar to that which is in operation in the State of Nebraska with particular emphasis upon the desirability thereof; and be it further

Resolved, That the Joint State Government Commission shall report to the next session of the General Assembly with the results of its finding and its recommendations, together with drafts of necessary legislation and changes embodying such recommendations as it shall make.

Referred to the Committee on Rules.

By Mr. EWING. (Concurrent) RESOLUTION No. 85.

In the House of Representatives, December 11, 1951.

The pending dispute between the Prudential Life Insurance Company and its field agents can easily result in a lapsing of industrial policies through the convenience and the inability imposed upon policy holders to remit their premiums as they come due.

The technicality of a lapsed policy might bring irreparable loss and serious disaster to many individuals within this category of industrial policy holders; therefore

be it

Resolved, (if the Senate concur) That the House of Representatives advise and request the Prudential Life Insurance Company to declare a moratorium on the payment of all premiums throughout a period of forty-five days or for such an interval of time when the Prudential Life Insurance Company and its agents shall have adjusted their pending controversy with a resultant resumption of an amicable employer-employee relationship.

Referred to the Committee on Rules.

By Messrs. GOODLING and GIBSON.

RESOLUTION No. 86.

In the House of Representatives, December 11, 1951.

Whereas, it would be advantageous to incorporate desirable changes and procedures into the Game Code and the Fish Law in order to modernize both in accordance with acceptable practice;

Whereas, it would be fitting to restore the habitat and the environs of game and fish to the natural characteristics of the primeval forest with its undisturbed streams and ponds;

Whereas, it would be desirable to strengthen the enforcement provisions of the Game Code and the Fish Law with the elimination of contradictory factors and the clarification of obscure details; therefore be it

Resolved, That the Joint State Government Commission be authorized to study the said Game Code and the Fish Law and to submit a report on its findings to the end that the aforesaid objectives can be realized.

Referred to Committee on Rules.

## PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

Mr. HAUDENSHIELD asked and obtained permission for the Committee on Welfare to meet during the session of the House.

## SENATE MESSAGES

The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

And has appointed Messrs. Wood, Hare and Ruth a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.



The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

And has appointed Messrs. Wood, Hare and Ruth a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions further providing for the disposition of moneys received hereunder and changing penalties

And has appointed Messrs. Wood, Hare and Ruth a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax

And has appointed Messrs. Wood, Hare and Ruth a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

The Clerk of the Senate being introduced informed that

the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

And has appointed Messrs. Wood, Hare and Ruth a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1697, entitled:

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum

And has appointed Messrs. Wood, Hare and Ruth a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

And has appointed Messrs. Wood, Hare and Ruth a



committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

### FIRST AID ROOM ANNUAL REPORT

Mr. HELM. Mr. Speaker, with pleasure I present to you the annual report of the First Aid Room from August 1950 to August 1951.

The report was read by the Clerk.

(For report, see Appendix)

The SPEAKER. The Chair wishes to commend Nurse Esther D. Feiser for her very conscientious work and service to the Members of the House.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

### REPORTS OF COMMITTEES OF CONFERENCE ON HOUSE BILLS NOS. 1544, 1692, 1693, 1694, 1695, 1697 AND 1698

Mr. HALL. Mr. Speaker, I present the reports of the Committees of Conference on House Bills Nos. 1544, 1692, 1693, 1694, 1695, 1697 and 1698.

The reports were read by the Clerk.

The SPEAKER. The reports will lie over for printing under the Rules.

### REPUBLICAN CAUCUS

The SPEAKER. There will be a Republican Caucus in the new House Caucus Room at 1:30 p. m. The Members are requested to be in attendance promptly for a very important caucus.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 2:30 o'clock. The Chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### SENATE MESSAGE

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 104.

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary confinement in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and

providing for the parole and reparole or absolute discharge of persons so sentenced and the procedure relating thereto

#### SENATE BILL No. 636.

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing investments in common stocks and similar securities of unincorporated associations meetings certain qualifications and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies

#### SENATE BILL No. 653.

An Act to further amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by providing for a permanent record system in the boards for the assessment and revision of taxes; providing for a committee to prepare such system; and conferring powers and imposing duties upon the boards for the assessment and revision of taxes, the chairman of the Local Government Commission, and chief assessors.

#### SENATE BILL No. 654.

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefore creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and re-



pealing existing laws" by providing for the collection and distribution of said taxes by the bureau further regulating the sale of properties turned over to the bureau by county commissioners and taxing districts and of properties purchase at tax sales by county commissioners under the provisions of said act imposing certain costs upon the taxing districts and further providing for the execution of deeds

#### SENATE BILL No. 658.

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings

#### SENATE BILL No. 736.

An Act providing for the registration of professional bondsmen in cities of the first class providing for criminal offenses and penalties

#### SENATE BILL No. 818.

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances

### SENIOR CLASS, PENNSYLVANIA STATE COLLEGE, SCHOOL OF EDUCATION WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House twenty-five members of the Senior Class of Pennsylvania State College, School of Education who are present with their Professor, Dr. Robert B. Patrick. The students are engaged in student teaching in William Penn High School, Camp Curtin Junior High School and Susquehanna Township High School. They are the guests of the gentleman from Center, Mr. Frost.

### STUDENTS OF MILLERSVILLE STATE TEACHERS COLLEGE WELCOMED

The SPEAKER. The Chair welcomes to the House a class in American Government, Millersville State Teachers College, accompanied by their teachers, Dr. Virginia Beck and Mr. V. A. Champa. They are the guests of the gentleman from Lancaster, Mr. Murray.

### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McMILLEN. Mr. Speaker, I move that House Bill No. 356 Printer's No. 897 together with communication from the Governor be taken from the table.

The motion was agreed to.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 356

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 356, Printer's No. 897, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

### RESOLUTION

#### RETURNING HOUSE BILL No. 356 TO GOVERNOR WITHOUT AMENDMENT

Mr. McMILLEN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 356, Printer's No. 897, entitled "An act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled 'An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates,' by extending the provisions thereof to school districts for limited purposes; changing provisions for incorporation, withdrawal from and joinder in Authorities, amendment of articles of incorporation, boards of Authorities and citizenship of members thereof, and providing for extensions of corporate existence, transfer of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities," which was recalled from the Governor, September 26, 1951, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. EWING asked and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

### SENATE MESSAGE

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1404

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to House Bill No. 1404 entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof



And has appointed Messrs. Wagner, Kessler and Yosko a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MADIGAN asked and obtained permission for the Committee on Agriculture and Dairy Industries to meet during the session of the House.

#### REPORTS FROM COMMITTEES

Mr. McKINNEY from the Committee on Judiciary, reported as committed, House Bill No. 241, entitled:

An Act to amend section six hundred forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by increasing the age range of children prohibited admittance to moving picture theatres during school hours.

Mr. SCHMIDT from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 609, entitled:

An Act to further amend Sections 10 and 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

Mr. BEECH from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 617, entitled:

An Act to add Section 2.1 to Article XIV of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," by providing for minority party representation in council.

Mr. MADIGAN from the Committee on Education, reported as committed, House Bill No. 1125, entitled:

An Act to amend Section 1189 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the maximum penalty on teachers failing to attend meetings called by the county superintendent.

Mr. SCHMIDT from the Committee on Judiciary, reported as committed, Senate Bill No. 586, entitled:

An Act relating to the administration without the ap-

pointment of a guardian, of estates valued at one thousand dollars or less, of weak minded persons, drug addicts, and inebriates; and providing a procedure therefor.

Mr. PAUL F. JONES from the Committee on Judiciary, reported as committed, Senate Bill No. 793, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

Mr. SEYLER from the Committee on Education, reported as committed, Senate Bill No. 831, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the use and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

Mr. RIGBY from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 869, entitled:

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired.

Mr. HARNEY from the Committee on Agriculture and Dairy Industries, reported as committed, Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State for registered and unregistered cattle.



Mr. HELM from the Committee on Education, reported as committed, Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting employes of school districts to serve as councilmen.

Mr. KELLER from the Committee on Education, reported as committed, Senate Bill No. 898, entitled:

An Act to amend Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further defining eligibility for the office of school director.

### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, 1951, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 241, entitled:

An Act to amend section six hundred forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by increasing the age range of children prohibited admittance to moving picture theatres during school hours.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 609, entitled:

An Act to further amend Section 10 and 15 of the act, approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 617, entitled:

An Act to add Section 2.1 to Article XIV of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of

cities of the second class," by providing for minority party representation in council.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1125, entitled:

An Act to amend Section 1189 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the maximum penalty on teachers failing to attend meetings called by the county superintendent.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 586, entitled:

An Act relating to the administration without the appointment of a guardian, of estates valued at one thousand dollars or less, of weak minded persons, drug addicts, and inebriates; and providing a procedure therefor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 793, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 831, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employes to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 869, entitled:



An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State for registered and unregistered cattle.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting employees of school districts to serve as councilmen.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 898, entitled:

An Act to amend Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further defining eligibility for the office of school director.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## RESOLUTION CONGRATULATIONS

Mr. ROBERTSON. Mr. Speaker, looking back on the short time that I have been in this House, I believe one of the first times I got on the floor was to present a resolution on the death of a former Member. Perhaps the Chinese have the proper idea insofar as death is an event of happiness.

But I have here today, Mr. Speaker, an entirely different resolution. It also has to do with a Member, this time a leading Member from the County of Delaware. We have presented resolutions on this floor for birthdays and particularly for additions to the Clendening family. But this time we have an entirely different one which has to do with the dean of the Delaware County delegation.

As this resolution will set forth, we all know the Member of the first district of Delaware County for his amiable actions, his smiling countenance, his amazing attitude toward the ladies. It is often the wonder of the Members of the County of Delaware, and those who know this particular gentleman, how he has stayed so long out of the clutches of the female sex.

Mr. Speaker, it is with a great deal of pleasure that I present a resolution at the present time, due to the fact that the very bald Member from Delaware County has at last been grasped, and ask for its immediate adoption.

Messrs. ROBERTSON, CLENDENING and WILLIAM C. LEONARD offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, December 12, 1951.

Shakespeare wrote of a young lord of Padua, a confirmed bachelor, who finally married after a courtship that was a contest of wit and raillery. A more serious-minded young lord, of a less romantic town, in a sterner clime, is about to reach the same end through other procedures.

The Pennsylvania Manual fails to disclose the date of birth of the Member from the First District of Delaware County. It must, therefore, be assumed that he is a very young man; and that his capacity for love of woman is unconfined save by the well recognized perfection of his Emily Post manners in the presence of feminine charm.

For five years this House has known "Lou" and marveled at his shining pate, beneath which deep thoughts and weighty cogitations constantly revolve like the works of a mighty factory producing the words of wisdom that fall from his lips. We deem it incredible that he should ever succumb to the machinations of any one woman—And yet it now seems that we shall soon have with us Bloom the bald benedick; therefore be it

Resolved, That this House, and particularly the preponderantly married membership thereof, welcome a fellow Member into the great fraternity of those who have relinquished a degree of personal freedom to the estate of blessed matrimony. We congratulate Miss Gertrude A. Landow of Philadelphia, his prospective spouse. And wish them both a long and happy life of wedded joy; and be it further

Resolved, That copies of these resolutions be transmitted by the Chief Clerk to each of the principals of the approaching marriage.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Bloom.

Mr. BLOOM. Mr. Speaker, I deeply appreciate the thought that prompted my colleagues in presenting the resolution, and the unanimous approval of the House.

The question has been asked by my colleague, as well as many others, as to why it is that I waited as long as I did before I saw the light of day. I think I can best give the answer by an incident that very recently occurred.



A pastor who lives a short distance from my home called on the phone the other day and said,

"Bloom there is a jackass lying on the grounds of the church and won't you please have him removed?"

I said to him, "Pastor, isn't it customary for the Reverend Clergy to administer the last rights to the deceased?"

He said, "Yes Bloom, but it is also custom to get in touch with his relations first."

Members of the House, as I came into the Halls of this House day after day and year after year and I looked at the smiling and beaming countenances of my colleagues and saw the joy they seemed to have in their hearts, of course, by inquiring I learned it was due to marital blissfulness. I thought the time came when I too should enjoy the greatest gift that God gave to man, a woman.

I am very grateful to you, and I know I speak for my wife to be, Gertrude A. Landow, that she is also honored by the resolution and the thought that motivated it. I hope that some day in the near future she will have the privilege and pleasure of greeting you and expressing to you her deep thanks, as well as mine.

Mr. McMILLEN. Mr. Speaker, I would like to suggest to Mr. Bloom to take note that he has made his last speech.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DALRYMPLE asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

#### BILLS ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 506, as follows:

An Act to amend subsection (b) of section one and sections two and four of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by further defining employer providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one and sections two and four of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" are hereby amended to read as follows

##### Section 1 Definitions

\* \* \* \* \*

(b) "Employer" includes any person natural or artificial acting directly or indirectly in the interest of any employer in relations with any employee and shall include the Commonwealth of Pennsylvania and all political subdivisions thereof

Section 2 Wage Rates No employer shall discriminate in any way in the payment of wages or salaries in any occupation as between the sexes or pay any female in his employ in any occupation salary or wage rates less than the rates paid to male employees for comparable work [Provided however That nothing herein contained shall prohibit a variation in salary or wage rates based upon either differences in seniority experience training skill or ability or difference in duties and services performed or difference in the shift or time of the day worked or

any other reasonable differentiation except difference in sex]

Section 4 Collection of Unpaid Wages (a) An employer who violates the provisions of section two of this act shall be liable to the employee or employees affected in amount of their unpaid wages plus an equal amount of liquidated damages Action to recover such wages may be maintained in any court of competent jurisdiction by any one or more employees Any agreement between the employer and an employee to work for less than the wage to which such employee is entitled under this act shall be no defense to such action The court in such action shall in addition to any wages and damages allow a reasonable attorney's fee and costs of the action to the plaintiff At the request of any employee paid less than the wage to which she is entitled under this act the Secretary of Labor and Industry may take an assignment of such wage claim for collection and shall bring any legal action necessary to collect such claim The Secretary shall not be required to pay the filing fee or other costs in connection with such action

(b) Any action pursuant to the provisions of this act must be brought within three years from the date upon which the violation complained of occurs

(c) Any employee may directly or through his attorney agent or collective bargaining representative waive compromise adjust settle or release any claim which such employee may have under this act either before or after commencement of suit thereon and a waiver compromise adjustment settlement or release of any such claim by such employee or his attorney agent or collective bargaining representative shall be a complete satisfaction of such claim and a complete bar to any action based on such claim]

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek.
Andrews,	Greenwood,	Mazza,	Royer.
Banker,	Greer,	McConnell,	Rubin.
Barkdoll,	Guarnieri,	McCormack,	Sarraff.
Baumunk,	Gutendorf,	McCullough,	Sax.
Bear,	Guthrie,	McDermitt,	Scanlon.
Beaver,	Hagerty,	McGee,	Schmidt.
Beech,	Hall,	McInroy,	Schuster.
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott.
Blair,	Hamilton, W. H.,	McMillen,	Seyler.
Bloom,	Harney,	McNally,	Shoemaker.
Boles,	Haudenshield,	Metz,	Shotwell.
Bolton,	Headlee,	Mihm.	Smith.
Bomberger,	Helm,	Mikula,	Snider.
Bower,	Hersch,	Miller, H. G.,	Sollenberger.
Breisch,	Hewitt,	Miller, J. C.,	Spencer.
Breth,	Hocker,	Mills,	Stank.
Brown,	Hoggard,	Mintess,	Stimmel.
Bucchin,	Hunter,	Monroe,	Stoner.
Byrne,	Jenkins,	Moore, C. E.,	Swartz.
Cella,	Johnson,	Moore, H. A.,	Swope.
Clapper,	Jones, G. E.,	Moran,	Tahl.
Clendenning,	Jones, J. M.,	Muldowney,	Taylor.
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll.
Corr,	Kamyk.	Najaka,	Tompkins.
Costa,	Keller,	Naugle,	Toomey.
Coyle,	Kent,	Needham,	VanSant.
Dalrymple,	Kline,	Olsen,	Varallo.
Davis,	Kohl,	Pengilase,	Varner.
Dennison,	Kolankiewics,	Peta,	Verona.
Dougherty,	Kornick,	Petrosky,	Wachhaus.
Dowling,	Kratz,	Pettigrew,	Wargo.
Duffy,	Kubacki,	Pfaff,	Waterhouse.
Dunn,	Lafore,	Pichney,	Watkins.
Erb,	Lederer,	Pitzer,	Weidner.
Ewing,	Lekey,	Polaski.	Welsh.
Fenrich,	Leonard, L.,	Polen,	Wescott.
Ferster,			



Filip,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Filo,	Leven,	Price, R. A.,	Whalley,
Firmstone,	Light,	Readinger,	Wheeler,
Flack,	Limper,	Reagan,	White,
Frost,	Loftus,	Reese,	Williams,
Gaffney,	Lopresti,	Reidenbach,	Wilt,
Gear,	Lovett,	Reilly, J. M.,	Wood,
Gibson,	Lutty,	Rigby,	Yeakel,
Gleason,	Lyons,	Riley, R. L.,	Yetzer,
Good,	Madden,	Robertson,	Young,
Goodling,	Madigan,	Rose,	Ziegler,
	Markley,	Rosen,	Sorg,

Speaker

NAYS—1

DuBols,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on final passage of Senate Bill No. 27, entitled:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees including teachers and other employees of the public school system and officers and employees of state-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employees prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to state-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on state and local appointing authorities and certain other state officers

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, it had been my intention at this time to present a reconsideration resolution. We contemplated a procedure which we believed would make it possible, through a series of reconsideration resolutions to come to a state of mind representing a greater degree of agreement concerning the provisions that should or should not be included in Senate Bill 27, and to create a parliamentary situation which would make it possible to iron out some of the technical inconsistencies that are now apparent in the two sets of amendments that were offered to this measure.

Before offering an amendment I desire to inquire from the Majority Leader what the present disposition of the majority party caucus, if he is at liberty to so inform the House, is regarding the present status of Senate Bill 27. His answer may determine whether or not we offer the reconsideration amendment at this time.

Mr. SMITH. Mr. Speaker, in answering the gentleman I first of all will have to say to him that we will have to vote down at this time any motion to reconsider this bill.

Mr. ANDREWS. If you had the votes.

Mr. SMITH. If we had the votes, Mr. Speaker.

This would be done, Mr. Speaker, for one reason. We would prefer if it would meet with the approval of the minority that Senate Bill 27 stay on the calendar today status quo.

The reason is this: We know that there is an agreement between some Members on the other side and some on our

side to better the bill if possible by amendments. We could not come to a complete agreement on that.

We now have more amendments. We intend to meet with the Minority Leader, or whoever he will pick as his representative or representatives and see if we cannot come to a complete agreement in our thinking on this bill and amend it. It is not a partisan bill, it is a bill that all of us want and we want it in proper form. We hope we can come to a meeting of minds sometime this afternoon, this evening or tomorrow and for that reason we would ask that Senate Bill 27 not be considered at this time.

Mr. ANDREWS. Mr. Speaker, in view of the statement made by the Majority Leader to the effect that Senate Bill 27 will remain in status quo for the time being until there has been an opportunity to have a further meeting of minds concerning the changes that should be made in it, we will not at this time offer a reconsideration resolution.

BILL PASSED OVER

There being no objection

Senate Bill No. 27, Printer's No. 664

was passed over at the request of Mr. SMITH.

Agreeably to order.

The House proceeded to the consideration on final passage of Senate Bill No. 788, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund and providing for the repayment of the original deposit in the permanent lot care fund upon compliance with certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 209 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain



State departments zoards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 209 Cemetery and Burial Corporations In the case of the incorporation of a cemetery or burial corporation as a business corporation the articles shall in addition to the information heretofore required by this article contain a provision (1) that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the corporation shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such corporation that such sum shall be invested by the board of directors in securities which are legal investments for trustees under the laws of this Commonwealth and that the income arising therefrom shall be applied by the board of directors to the foregoing purposes (2) that a permanent lot care fund shall be established prior to the disposal or sale of any burial lots as required by Section 209.1 and (3) that a sum equal to at least one-tenth of the gross sales price of each lot shall be deposited in the permanent lot care fund

Section 2 Article II of said act is hereby amended by adding immediately after Section 209 a new section to read as follows

Section 209.1 Cemetery and Burial Corporations Permanent Lot Care Fund In addition to the requirements of Section 209 the incorporators of any cemetery or burial corporation hereafter organized as a business corporation before disposing of any burial lot or making any sale thereof shall cause to be deposited in a bank and trust company trust company or national banking association having fiduciary powers a sum of not less than twenty-five thousand dollars (\$25,000) as a permanent lot care fund for the maintenance of burial lots and shall designate such banking institution as trustee of such fund Whenever burial lots are from time to time sold by the corporation it shall add to the permanent lot care fund a sum equal to at least one-tenth of the gross sales price of each lot sold The permanent lot care fund so established shall be invested in securities which are legal investments for trustees under the laws of this Commonwealth and the corporate trustees shall pay semi-annually the net income from the fund to the cemetery or burial corporation for the purposes herein set forth

Every such cemetery or burial corporation shall before disposing of any burial lot or making any sale thereof cause to be filed with the Department of State an affidavit signed by at least a majority of the board of directors stating that it has caused to be deposited at least twenty-five thousand dollars (\$25,000) as a permanent lot care fund as hereinbefore provided to which affidavit shall be attached an acceptance by the banking institution designated as trustee thereof acknowledging its acceptance of the trusteeship

Whenever the cemetery or burial corporation shall have deposited in the fund required to be established by the provisions of clause (1) of Section two hundred nine a sum equal to the amount of money required to be originally deposited in the fund required to be established by this Section it shall submit proof of such fact to the corporate trustee and it shall be the duty of the corporate trustee to thereupon pay over to the cemetery or burial corporation the amount so originally deposited by it in the permanent lot care fund free and clear of the restrictions and limitations of this section

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—200

Amarando,  
Andrews,  
Banker,  
Barkdoll,

Goodling,  
Graybill,  
Greenwood,  
Greer,

Markley,  
Maxwell,  
Mazza,  
McConnell,

Royer,  
Rubin,  
Sarraf,  
Sax,

Baumunk,	Guarnieri,	McCormack,	Scanlon,
Bear,	Gutendorf,	McCullough,	Schmidt,
Beaver,	Guthrie,	McDermitt,	Schuster,
Beech,	Hagerty,	McGee,	Scott,
Berkstresser,	Hall,	McInroy,	Seyler,
Blair,	Hamilton, R. K.,	McKinney,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger
Bower,	Miller, H. G.,	Miller, J. C.,	Spencer,
Brelsch,	Mills,	Mintess,	Stank,
Breth,	Monroe,	Moore, C. E.,	Stimmel,
Brown,	Hoggard,	Moore, H. A.,	Stoner,
Bucchin,	Hunter,	Muldowney,	Swartz,
Byrne,	Jenkins,	Munley,	Swope,
Cella,	Johnson,	Murray,	Tahl,
Clapper,	Jones, G. E.,	Musto,	Taylor,
Clendening,	Jones, J. M.,	Najaka,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Naugle,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Needham,	Toll,
Cooper,	Jump,	Olsen,	Tompkins,
Corr,	Kamyk,	Penglase,	Toomey,
Costa,	Keller,	Peta,	Vansant,
Coyle,	Kent,	Petrosky,	Varallo,
Dalrymple,	Kline,	Pettigrew,	Varnier,
Davis,	Kohl,	Pfaff,	Verona,
Dennison,	Kolankiewicz,	Picney,	Wachhaus,
Dougherty,	Kornick,	Pitzer,	Wachhaus,
Dowling,	Kratz,	Polaski,	Wargo,
DuBols,	Kubacki,	Polen,	Waterhouse,
Duffy,	Lafore,	Price, H. W. Jr.,	Watkins,
Dunn,	Lederer,	Price, R. A.,	Weidner,
Erb,	Lelsey,	Readinger,	Welsh,
Ewing,	Leonard, L.,	Reese,	Wescott,
Fenrich,	Leonard, W. C.,	Reidenbach,	Westrick,
Ferster,	Leven,	Reilly, J. M.,	Whalley,
Fillip,	Light,	Rigby,	Wheeler,
Filo,	Limper,	Riley, R. L.,	Williams,
Firmstone,	Loftus,	Robertson,	Wilt,
Flack,	Lopresti,	Rose,	Wood,
Frost,	Lovett,	Rosen,	Yeakel,
Gaffney,	Luffy,	Rovansek,	Yetzer,
Geer,	Lyons,		Young,
Gibson,	Madden,		Ziegler,
Gleason,	Madigan,		Sorg,
Good			Speaker

#### NAYS—5

Hewitt,  
McMillen,

Moran,

Reagan,

White,

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from postponed calendar by Mr. McMILLEN.

The House resumed the consideration on final passage of House Bill No. 1624, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance



Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards further defining "Assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

On the question recurring,  
Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I rise simply to suggest that the gentleman from Indiana explain the provisions of this bill. He has several bills dealing with relief on the calendar, and I think there is some confusion in the minds of some of the Members as to just what this bill is intended to accomplish. Personally I am in favor of the bill. There may be, however, some Members on this side who, after hearing his explanation, will want to oppose it. Personally I favor the bill.

Mr. McMILLEN. Mr. Speaker, this bill is one in a series which were designed to correct some abuses and some weaknesses that are found in the administration of public assistance in Pennsylvania.

This particular bill has several provisions which I think should be pointed out. In the first place the most important thing in the bill is the provision which provides for summary conviction for anyone who is found chiseling on public assistance.

One of the problems we have found in the administration of this assistance program is the long drawn-out procedure which is necessary to secure a conviction after an individual has been found to be a chiseler. Now we must go through the courts where the trial can be prolonged or the arguments set back by the Judge on the trial calendar; and as a result we have a long drawnout period of time when no decision is made, and the chiseling continues. This bill would provide for summary conviction before a Justice of the Peace and dispatches the matter in a very short time.

It also increases the penalty for chiseling and taking money from the public illegally from \$500 to \$1,000 and the term of imprisonment from six months to a year.

I think there has been enough evidence developed to prove that this bill is necessary. We have discovered in these investigations, men and women—because there seems to be no division in the willingness of people to try to get something for nothing as between the sexes—will not hesitate to lie about the number of children. They will not hesitate to go into collusion with each other in many areas and pass children from one family to the other for the benefit of the investigator.

The whole picture is one that demands immediate attention, and it is thought that this is the one way to correct one of the very vital points, one of the things which needs the most attention.

Another point that would be made on this bill is that in order to effectuate the rules and regulations of the Board here in Harrisburg, or what is sometimes termed "The State Board" or "The Central Board", we are giving the power to them to enforce some of their rules and regulations. As you know now the County Board

have more or less local autonomy, local authority. But we must remember that these local boards are spending money which you and I as legislators must come down here and provide and at the present time have little or no control over after we give the money.

There are those who argue that we do not want centralization. I am in accord with that. But if we are not going to have centralization in the control of these funds entirely and wholly by the state, then let us amend the law and put a part of the responsibility for raising the revenue back with the local communities.

I think our duty in this case is clear: either we throw the responsibility for the administration and the raising of the money back the communities or we centralize a little more definitely, clearly and distinctly the authority for the administration and the distribution of the funds. We have to make our choice between those two.

People wonder why we have to approach it from this angle. I think that if any of us will just take time to read the record of the investigation that is going on in Philadelphia, and in other areas; if you will review the abuses that have taken place both on the part of the recipient and the administrators, then you will come to the conclusion that we must do something about the issue.

Mr. Speaker, if there are any questions other than that I will be glad to answer them, but I think that covers the high points of the bill, and is about all I have to say on it.

Mr. ANDREWS. Mr. Speaker, while I am personally in favor of this bill I desire to advise the gentleman from Indiana that on a vote we will request that only those Members who are within the Hall of the House be recorded as voting, because there are some absentees who are not in favor of this measure. If the gentleman believes he has 105 votes, I would advise him to pass the bill at this time. If he does not feel that he has 105 votes in the House, I would advise him not to press the bill at this time.

I agree with the purposes of the bill. The Commonwealth of Pennsylvania, the taxpayers of Pennsylvania, place \$130,000,000 and more—sometimes many million dollars more—in the keeping of the Department of Public Assistance. The Department allocates funds to the various counties. The Department must be mindful of the rules and regulations and the statutes we enact; it is the responsibility of the Department of Public Assistance to see to it that its local agents, which are the boards in the various counties, are mindful of the legislative intent that makes possible the original grant of the funds.

If we had had a Department over the years that enforced reasonable rules and regulations, you would not be putting people down in Philadelphia in jail now for being thieves. And you would not have a report from the Joint State Government Commission that pilfering of relief funds runs at the rate of from \$8,000,000 to \$10,000,000 a year. We do not have that amount of money to give away to chiselers, and it is the business of the State Department of Public Assistance and the local board to see to it that chiseling ceases and appeals made on behalf of the deserving poor have no place in this argument.

I close by saying that while I favor the bill, there is



some opposition to it, and the gentleman from Indiana must be the judge of his own parliamentary situation.

Mr. McMILLEN. Mr. Speaker, I thank the gentleman from Cambria for his support and suggestion.

If it is in line with the Chair's thinking, I should appreciate hearing what the other gentlemen have to say in opposition to the bill; and if there is a reasonable amendment that can be offered to correct this situation, then I am for it. But we have got to face the facts, Mr. Speaker, that both Democrats and Republicans are going to have to quit playing politics with money that is intended to keep people. Now, we have to make that decision, too.

Mr. SCHMIDT. Mr. Speaker, I believe that I carried part of the burden for the defeat of this bill at the time it was before the House, and at the time it went down to defeat.

Politics is not being played with this bill. In fact I am interested in the maintenance of the integrity of a board in Allegheny County—the County from which I come—that is from a political standpoint, preponderantly of a party opposite to that to which I belong which has been appointed by a Governor of a political faith other than that from which I have been elected.

I am perfectly satisfied that the administration of the relief laws in Pennsylvania, as they now stand in the hands of a local board in the community from which I come, is safe. I would much rather have that board maintain its integrity and have the amount of discretion that it is now permitted to have under the act, than to have this bill passed in the form that it is and have that board merely be a mouthpiece for carrying out the instructions coming from a centralized board here in Harrisburg.

We hear so much about centralization. The argument always comes from the other side against centralization. Yet here we are endeavoring to centralize a board and centralize all the authorities here in Harrisburg.

These taxes which maintain and keep up the board of assistance, come from the citizens. They come from the citizens of my county, from your county, and from all the other counties of the Commonwealth of Pennsylvania. These boards, as you all know, are composed of representative citizens of the communities from which we come, boards that are serving without pay and who have as interest number one, the Commonwealth of Pennsylvania so far as funds are concerned, and also who are more capable of knowing the needs of those in their community.

The argument is still the same as it was when this bill was defeated, I believe, by a vote of 58 to 95 back in September, conditions have not changed. If there were removed from this bill the proviso that would take the direction out of the hand of the local boards and put it in the State; if you would take that out and merely increase the penalties for chiselers, then I could go along with this bill. But so long as this bill has tied up with it this proviso that would limit the local county boards and take away the authority insofar as the actions of these local boards are concerned, I cannot go along with the bill.

Mr. PAUL F. JONES. Mr. Speaker, I desire to interrogate the gentleman from Indiana briefly.

The SPEAKER. Will the gentleman from Indiana, Mr. McMillen, permit himself to be interrogated?

Mr. McMILLEN. I shall, Mr. Speaker.

Mr. PAUL F. JONES. Mr. Speaker, I did not quite understand the extent of the jurisdiction of the Squires insofar as the administration of the provisions that you make for increasing penalties are concerned.

Mr. McMILLEN. Mr. Speaker, I think this question could be resolved if we were to hold this bill up until Mr. Jones and I get together and talk it over, along with Mr. Schmidt, and those Members who have objections. If the bill can be amended to come into line and still accomplish this summary conviction so that we can get immediate settlement of many of these claims, I am not adverse to that. So if it is agreeable with you, Mr. Jones, suppose we hold it over and talk about it.

Mr. PAUL F. JONES. It is perfectly agreeable with me, sir.

#### BILL PASSED OVER

There being no objection

House Bill No. 1624, Printer's No. 889  
was passed over at the request of Mr. McMILLEN.

#### BILLS ON THIRD READING

##### BILLS PASSED OVER

There being no objection

House Bill No. 1731, Printer's No. 1051 and  
Senate Bill No. 188, Printer's No. 619,  
were passed over at the request of the SPEAKER.

#### SENATE MESSAGES

##### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 163.

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts of the second third and fourth classes to levy additional taxes to pay rentals to municipality authorities authorizing boards of school directors to make additional appropriations or to increase appropriations authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money including proceeds of general obligation bonds to municipality authorities to acquire additional property for authority projects to lease school projects from and pay rentals to municipality authorities to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.



The SPEAKER. The Clerk will read the amendments.  
The Clerk read the amendments as follows:

Amend Section 5, page 11, line 17, by striking out after the word "of" the following: "seven hundred fifty thousand dollars (\$750,000) and inserting in lieu thereof the following: "four hundred thousand dollars (\$400,000).

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarraff,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstreser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Brelsch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varnier,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBols,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunin,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Fillip,	Light,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzler,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,	Maxwell,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1234.

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the giving of treatments away from beauty culture shops and by students in beauty culture schools and permitting educational demonstrations on Sunday

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.  
The Clerk read the amendments as follows:

Amend Section 3, Section 8, page 5, line 9, by striking out the bracket before the word "It"; line 8, by striking out the bracket before the word "or" and after the word "treatment"; line 13, by striking out the bracket after the word "appointment" and the words "No person shall practice or attempt to"; by striking out all of lines 14, 15, 16, 17 and 18.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstreser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBols,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunin,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Fillip,	Light,	Readinger,	Wheeler,



Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### FUNERAL COMMITTEE

The SPEAKER. The Chair appoints as a Committee to attend the funeral services of the Honorable William J. Yester, deceased Member from the County of Allegheny, to be held at McKeesport on Friday, December 14, 1951, at 10 A. M.

Allegheny County: Messrs. Paul F. Jones, Verona, Kamyk, Sarraf, Schuster, Rigby, Schmidt, Louis Leonard, Luty, Olsen, Fenrich, Mihm, Corr, McNally, Beech, Hunter, Jenkins, Moran, Boies, Filo, Cooper, Ewing, Haudenschild, Ronald L. Thompson, Geer and Wilt.

Beaver County: Messrs. Robert K. Hamilton and John C. Miller.

Butler County: Messrs. Greer and Harvey A. Moore.

Washington County: Messrs. Mazza, Polen, Reese and Williams.

Westmoreland County: Messrs. Lyons, Madden, Lovett, Petrosky, Maxwell and Mills.

### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McMILLEN. Mr. Speaker, I move that House Bill No. 218 Printer's No. 188 together with communication from the Governor be taken from the table.

The motion was agreed to.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 218

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, July 19, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 218, Printer's No. 188, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

### RESOLUTION

### RETURNING HOUSE BILL No. 218 TO GOVERNOR WITHOUT AMENDMENT

Mr. McMILLEN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 218, Printer's No. 188, entitled "An act to further amend section 30 of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended 'An act relating to dogs and the protection of livestock, poultry and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry and game birds by dogs and for livestock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes, directing the payment of all moneys collected into the State Treasury, and providing penalties,' by increasing the maximum amounts of payments by the State and requiring additional proof of claims in certain cases," which was recalled from the Governor on July 19, 1951, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 8:30 p. m. The Chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1544

Mr. HALL. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1544.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1544, entitled:

"An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records; requiring registration of carriers for hire; imposing duties on such persons, requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties."

Respectfully submit the following bill as our report:

T. N. WOOD,



FRED P. HARE, JR.  
FRANK W. RUTH,

(Committee on the part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Fuel Use Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" shall mean and include a partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" shall mean and include a corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Dealer-user" shall mean and include any person who delivers or places fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or who uses fuels within the meaning of the word "use" as defined in this section

"Department" shall mean and include the Department of Revenue of this Commonwealth

"Fuels" shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel vehicles of any kind or character on the public highways except such fuels as are defined as liquid fuels by the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) known as "The Liquid Fuels Tax Act" and its amendments

"Magistrate" shall mean and include a magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Motor Vehicles" shall mean and include all vehicles engines machines or mechanical contrivances which are propelled by internal combustion engines or motors

"Person" shall mean and include every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Public Highways" shall mean and include every way or place of whatever nature open to the public as a matter of right including a toll highway for the purpose of vehicular travel excepting those that are closed or that portion of any stretch which is closed to such travel by order of the State Highway Department for the purpose of construction or reconstruction

"Secretary" shall mean and include the Secretary of

Revenue of this Commonwealth or his duly authorized deputy or representative

"Use" shall mean and include (a) the importation into this Commonwealth of fuels in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in excess of fifty (50) gallons and (b) the delivery or placing of fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in this Commonwealth for use in whole or part for the generation of power to propel such motor vehicle on the public highways of this Commonwealth The delivery of fuels into such supply tanks or other fueling receptacles or devices shall constitute a conclusive presumption that the fuel so delivered is to be used in propelling such motor vehicles on the public highways of this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Application for License Licensing of Dealer-Users Bond or Deposit of Collateral Securities (a) On and after the effective date of this act it shall be unlawful for any dealer-user to engage in or thereafter begin to engage in the use or sale and delivery of fuels within this Commonwealth unless a license shall have been issued to him as hereinafter prescribed

Penalty Each day in which any dealer-user shall engage in the use of fuels within this Commonwealth without a license as required by this act shall constitute a separate offense and he shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(b) Every person desiring to operate as a dealer-user shall file an application for a license with the department The application for license shall be made upon a form prescribed prepared and furnished by the department upon request and shall set forth the name under which the applicant transacts or intends to transact business the location of his principal place of business in this Commonwealth and such other information as the department may require If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for the purpose of identification The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by the executive officers thereof or person specifically authorized by the corporation to sign the application to which shall be attached written evidence of their authority

(c) Upon approval of the application and the bond hereinafter required the department shall grant and issue to each dealer-user a license or licenses which shall at all times be posted conspicuously at all places where fuels are stored for use or for sale and delivery Licenses shall not be assignable or transferable and shall be valid only for the dealer-user in whose name issued licenses shall be displayed for identification purposes by dealer-users to any officer of the Pennsylvania State Police upon request Licenses shall continue permanently in effect unless surrendered or suspended or revoked for cause by the secretary

Penalty Any person assigning or attempting to assign or transfer a license or who shall fail to display his license as required herein shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) for each offense and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(d) A license shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than five hundred dollars (\$500) Every such bond shall have as



surety a duly authorized surety company approved by the Insurance Department of this Commonwealth and signed by a resident Pennsylvania agent of the surety conditioned that the dealer-user shall faithfully comply with the provisions of this act during the effective period of his license. The department may require any dealer-user to furnish such additional surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him.

For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by a written notice require any dealer-user to furnish a financial statement in such form as it may prescribe. Upon failure of any dealer-user to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the license or licenses issued to him and shall collect all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him.

Any surety on a bond furnished by a dealer-user as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from date upon which the surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period. The department shall promptly after receiving such request notify the dealer-user who furnished the bond and unless the dealer-user shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by the Insurance Department of this Commonwealth the department shall forthwith cancel the dealer-user's license or licenses. Whenever a new bond shall be furnished by the dealer-user as aforesaid the department shall cancel and surrender the original bond of the dealer-user as soon as it shall be satisfied that all liability under the original bond has been fully discharged.

(e) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer negotiable or assigned bonds which are direct obligations of the United States Government or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person as collateral guarantee of payment of all liabilities accruing under the provisions of this act. The Department of Revenue a certificate of such deposit. The State Treasurer shall issue to such person and to the said securities shall be retained by the State Treasurer after the termination of the license of such person whether by his own act or the action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue prior to the issuance of certification by the department that all fuel taxes penalties interest fees fines uncollectible check fees and Attorney General's fee have been paid. The department shall furnish the State Treasurer with a copy of such certification and authorize the return of said securities by the State Treasurer to the owner.

(f) Upon the surrender or revocation for cause of the license of any dealer-user the department shall return surety bonds for cancellation or deposits made in accordance with the provisions of this section only after it is satisfied that all fuel taxes penalties interest fees and fines due the Commonwealth under the terms of the bond and the provisions of this act have been paid.

**Section 4 Imposition of Tax Exemptions.** A permanent excise tax at the rate of three cents (3c) a gallon or fractional part thereof is hereby imposed on all dealer-users upon the use as herein defined of fuel within this Commonwealth to be computed in the manner hereinafter set forth. The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States.

Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels used within the Commonwealth and Provided further That no tax is hereby imposed upon (1) any fuel that is used by or sold and delivered to the United States government when such sales and deliveries are supported by documentary evidence satisfactory to the department or (2) upon any fuel not in excess of fifty (50) gallons brought into this Commonwealth in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or (3) upon any fuel used by or sold delivered for use in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or equipment when such sales and deliveries are supported by documentary evidence satisfactory to the department or (4) upon any fuel used by or sold or delivered to the Commonwealth of Pennsylvania and its political subdivisions when such sales and deliveries are supported by documentary evidence satisfactory to the department.

In addition to such tax or fractional part thereof is hereby imposed and assessed on all dealer-users upon the use as herein defined of fuel within this Commonwealth within the limitations of the provisions of this section for the period beginning February first one thousand nine hundred fifty-two and ending on the thirty-first day of May one thousand nine hundred fifty-three.

**Section 5 By Whom Tax is Payable.** Every dealer-user upon whom a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act. It shall be the duty of each dealer-user to furnish to the department such information concerning such use as the department may require.

**Section 6 Dealer-user's Reports and Payments of Tax.** Discount Allowed Interest and Penalties. For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every dealer-user on or before the last day of each month to file with the department upon forms prescribed prepared and furnished by the department a report under oath or affirmation of the fuels used by him within this Commonwealth during the preceding month. This report shall include all such information as the department may require and prescribe. Dealer-users having more than one place of business within this Commonwealth shall combine in each report the use of fuels at all such separate places of business.

Dealer-users at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuels used by him during the preceding month. Fuels not accounted for to the satisfaction of the department shall be deemed to have been used for taxable purposes and taxes imposed thereon and collected by the department.

If the report required herein is filed and tax paid on time a discount of two per centum (2%) of the gross amount of tax shall be allowed the dealer-user.

The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum (1%) per month or fractional part of a month from the date they are due and payable until paid.

If any dealer-user shall fail neglect or refuse to make any report or payment as herein required an additional ten per centum (10%) of the gross amount of tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of a dealer-user may forthwith be suspended or revoked by the department and required to be surrendered to the department.

**Section 7 Determination and Redetermination of Tax Penalties and Interest Due.** (a) If any dealer-user shall fail neglect or refuse to secure a license as provided in this act or to file a report and pay the tax imposed by this act or if the department is not satisfied with the report and payment of tax made by any dealer-user under the



provisions of this act the department is hereby authorized and empowered to make a determination of the tax due by such dealer-user based upon any information which it may have in its possession or may obtain from other sources

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such dealer-user Within thirty (30) days after notice of any such determination such dealer-user may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within six (6) months after the date of any petition to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner by the department

(c) Within sixty (60) days after notice by the department of the action taken on any petition for redetermination filed with it the dealer-user against whom such determination was made may be petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the board of Finance and Revenue may prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within six (6) months the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) The department is hereby empowered to redetermine taxes and to authorize adjustments on current fuel use tax reports of dealer-users of overpayments within ninety (90) days of due date and payment providing information in the department's possession warrants such adjustment

**Section 8 Examination of Records and Equipment** The department or any employee appointed in writing by it or any officer of the Pennsylvania State Police is hereby authorized to examine the books and records of account storage tanks motor vehicles and any other equipment of any dealer-user carrier or any other person pertaining to the use sale or delivery of fuels taxable under this act to determine the use or for the purpose of ascertaining whether or not the tax imposed by this act has been paid or to verify the accuracy of any report or payment made under the provisions of this act or to determine the financial responsibility of any dealer-user or the accuracy of any financial statement required to be submitted to the department under the provisions of this act or regulations of the department

The secretary or his deputy is hereby authorized and shall have the power in the enforcement of provisions of this act to hold hearings to administer oaths to witnesses and to take the sworn testimony of any person and cause it to be transcribed into writing

The secretary or his deputy is hereby authorized to issue subpoenas and subpoenas duces tecum and compel the attendance of witnesses and shall have the power to conduct such investigations as he may deem necessary If any person shall refuse access to such books and records of account or other documents or any equipment or if any person shall fail or refuse to obey such subpoenas or subpoenas duces tecum or shall fail or refuse to testify before the secretary or his deputy the Court of Common Pleas of Dauphin County or of any other county in which the dealer-user resides or has its principal place of business or may be found upon application of the secretary or his deputy and after notice to the dealer-user and hearing may issue an order requiring such dealer-user to appear before the secretary or his deputy in obedience to such subpoena and testify and produce books records or other documents or equipment in compliance with such subpoena and upon refusal of the dealer-user to obey such order of the court punish such dealer-user for contempt

**Section 9 Regulations Records Required and Retention of Records by All Dealer-users and Carriers**

(a) The secretary shall have the authority to prescribe all forms upon which reports shall be made to the department and any other forms required for the proper administration of this act and shall prescribe and cause to be published all needful rules and regulations for the enforcement of this act

(b) Every dealer-user shall maintain issue and keep as the case may be for a period of two (2) years complete records of fuels received used sold or delivered within this Commonwealth by such dealer-user including suitable books and records of accounts and such other pertinent papers as may be required by regulation Every carrier shall keep similar records with respect to deliveries of products capable of being used as fuels

(c) Any person shall at the request of the department furnish to it information with respect to all sales and deliveries made by him to licensed dealer-users of such products capable of being used as fuels as may be designated by regulations issued by the department

**Penalty** Any person failing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for not more than thirty (30) days for each offense or both

**Section 10 Disposition and Use of Tax** The permanent and additional State taxes collected under the provisions of this act less discounts allowed shall be paid into the Liquid Fuels Tax Fund and the Motor License Fund in the same proportions as are liquid fuels taxes and are hereby specifically appropriated for the same uses and purposes

**Section 11 Discontinuance of Business by Dealer-user** Whenever a dealer-user engaged in the "use" as defined in this act of fuels ceases to be a dealer-user by reason of discontinuance sale or transfer of his business it shall be his duty to so notify the department in writing within five (5) days after the discontinuance sale or transfer takes effect His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof It shall also be the duty of dealer-users within ten (10) days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest penalties fees and fines that may be due by him and to surrender to the department the license or licenses issued to him by the department

**Penalty** Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

**Section 12 Subsection or Revocation of Licenses** Whenever the department finds that the holder of a license or licenses has failed to comply with the provisions of



this act or regulations issued by the department the department shall notify such holder and afford him a hearing on five (5) days' written notice except as hereinbefore provided. After such hearing the department may revoke or suspend the dealer-user's license or licenses and upon suspending or revoking any license shall demand the holder thereof to surrender to it immediately all licenses issued to him and the dealer-user shall surrender within five (5) days all licenses to the department as hereby required.

Any holder of a dealer-user's license aggrieved by the decision of the department is suspending or revoking his license may within thirty (30) days appeal to the Court of Common Pleas of Dauphin County from the decision of the department in the manner provided by law for appeals in the case of tax settlements. No such appeal shall act as a supersedeas but the suspension or revocation of the license by the department shall remain in full force and effect pending the disposition of the appeal.

**Penalty.** Any person failing neglecting or refusing to surrender a license suspended or revoked by the department as provided herein shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not less than one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both.

**Section 13 Lien of Taxes Penalties Interest Fees and Fines.** (a) All taxes herein imposed and unpaid penalties interest fees and fines due by any person shall be a lien upon the franchises and property both real and personal of such person from the date said taxes penalties interest fees and fines are due and payable as provided in this act and if and when recorded as provided in clause (b) hereof shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties interest fees and fines shall have priority over a mortgage only if the liens thereof were filed of record as provided in clause (b) hereof prior to the recording of the mortgage.

(b) Liens and statements of all taxes penalties interest fees and fines herein imposed due and unpaid certified by the secretary or his representative shall be transmitted to the prothonotaries of the respective counties of the Commonwealth through the Department of Justice to be entered of record as of the date due and payable upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed.

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a licensed dealer-user as herein defined without first giving the department thirty days notice of the sale and a statement containing the following information:

1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is to be made  
2 Name of the person whose property or franchise is to be sold

3 The time and place of sale

4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish the sheriff receiver trustee assignee master or other officers having charge of the sale a certified statement of all fuel taxes penalties interest fines and fees due the Commonwealth as liens against such person and in case no such liens exist a certificate setting forth that fact which certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person.

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all taxes penalties interest fees and fines owing by any licensed dealer-user which are of record in the depart-

ment as a lien or which may become a lien against any person under the provisions of this act.

**Section 14 Collection of Unpaid Taxes.** Whenever the taxes penalties interest fees and fines imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of the department's action on the petition if no petition for review has been filed or within sixty days from the date of decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall request the Department of Justice to collect the same.

On all claims for taxes penalties interest fees and fines hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the dealer-user for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars (\$10,000) and three (3) per centum upon the amount of recovery in excess of ten thousand dollars (\$10,000) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act. The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund. The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the licensed dealer-user and shall be a lien against his property in like manner as the amount of the claim.

**Section 15 Registration of Carriers and Reports Required of Carriers.** Every person engaged in or intending to engage in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner for hire to a dealer-user as defined in this act shall register with the department on forms prescribed and furnished by the department upon request.

Every person engaged for hire in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner to a dealer-user either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without this Commonwealth shall report under oath or affirmation to the department on or before the last day of each month for the preceding month all deliveries of such products capable of being used as fuels taxable under this act as may be designated by regulations issued by the department made to points within this Commonwealth. Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of such products which were transported and delivered together with date of delivery and any other information which the department may require.

**Penalty.** Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for thirty (30) days for each offense or both.

**Section 16 Refunds.** The Board of Finance and Revenue may refund to dealers-users tax penalties and interest provided by this act and paid by them as a result of an error of law or of fact or of both law and fact. Claims for refund shall be filed with the Board of Finance and Revenue within one year of the date of overpayment and shall be made under the procedure prescribed by The Fiscal Code.

All refunds of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in the amounts equal to the original distribution and the payment of such moneys into said funds.

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized. Estimates of the amounts to be expended from



these funds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisitions of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

**Section 17 Enforcement** The department shall be charged with the enforcement of this act Such employees of the Commonwealth as are designated as "Pennsylvania State Police" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

**Section 18 Disposition of Fees Fines and Forfeitures** Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeitures that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury by the department and credited to the Motor License Fund

**Section 19 Exchange of Information Among the States Issuance and Sale of Lists and Certified Copies of Records** The secretary or his representatives shall upon request received from the officials to whom are entrusted the enforcement of the fuel tax laws of any other state forward to such officials any information for governmental use which it may have in its possession relative to the manufacture receipt sale use transportation shipment or delivery by any person of fuel

The department shall prepare issue and distribute such lists of dealers-users and carriers as may be necessary for the proper administration and enforcement of this act without charge Sales of such lists as are issued by the department under these provisions may be made for other than governmental use and for each list a fee of ten dollars (\$10) shall be charged payable in advance

The fee for each certified copy or certified photostat copy of any department record shall be one dollar (\$1) payable in advance Provided That no fee shall be charged for certified copies or certified photostat copies of any departmental records furnished to any State or Federal Government authorities

**Section 20 Uncollectible Checks** Whenever any check issued in payment of tax penalties interest fees or fines imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars (\$5) per hundred dollars or fractional part thereof plus all protest fees to the person offering such check in payment

**Section 21 Violation** (a) Any person who shall fail neglect or refuse to make the report or pay the tax penalties and interest imposed by this act or who shall refuse to permit representatives of the department or the Pennsylvania State Police to examine his books and records of account storage tanks motor vehicles or other equipment pertaining to the use sale or delivery or importation of fuels within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the quantities of fuels used sold or delivered or to avoid the payment of the whole or any part of the tax penalties or interest due shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both In the case of an association

any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failure to make the report required and attend to the payment of tax imposed by this act Such fines shall be in addition to any penalty imposed by any other section or subsection of this act Upon conviction all of the guilty dealer-users' licenses shall be revoked

(b) It shall be unlawful for any person to commit any of the following acts

(1) To display or represent as one's own or cause or permit to be displayed any license not issued to the person displaying it or to have unlawfully in one's possession any unsigned fictitious or altered license or any license which is invalid as a result of cancellation suspension revocation by the department or expiration

(2) To give us or enter a false or fictitious name or give use or enter a false or fictitious address in any investigation or on any application business record or report required under the provisions of this act or otherwise misrepresent or commit a fraud on any application or business record required under the provisions of this act

**Penalty** Any person violating any of the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one year or both

**Section 22 Carriers registered with the department as such under the provisions of the Fuel Use Tax Act of 1947 as amended shall not be required to reregister under this act**

**Section 23 Saving Clause** (a) The passage of this act shall not be taken or construed to relieve any person association or corporation whatsoever from the payment of any tax penalty or interest due or owing the Commonwealth under any laws in force at the time this act becomes effective or to affect or terminate any petitions investigations prosecutions legal or other proceedings pending under such laws or to prevent the commencement of any legal proceedings for violations of such laws heretofore committed or for the recovery of taxes penalties or interest due or owing to the Commonwealth under such laws

(b) All taxes penalties and interest due from users of fuels under laws heretofore in force that are collected or received by the department after the effective date of this act shall be transmitted to the State Treasury through the department and credited to the Liquid Fuels Tax Fund and the Motor License Fund in the proportion provided in the act under which the tax was collected

**Section 24 Constitutional Construction** The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

**Section 25 Acts of Assembly Repealed** The act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof required such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" and its amendments is hereby repealed



All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 26 Effective Date This act shall become effective on the first day of February one thousand nine hundred fifty-two

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ANDREWS. We have no objection to concurrence in this Conference Report.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelsch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Leven,	Pettigrew,	Waterhouse,
DuBois,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fehrlich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yetzer,
Gibson,	Lutty,	Riley, R. L.,	Young,
Gleason,	Lyons,	Robertson,	Ziegler,
Good,	Madden,	Rose,	Sorg,
Goodling,	Madigan,	Rosen,	Speaker
	Markley,	Rovansek,	

#### NAYS—1

Geer,

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1692

Mr. HALL. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1692.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1692, entitled:

An act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended 'An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties' by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.,  
FRANK W. RUTH,

(Committee on the part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 449) are hereby reenacted and further amended to read as follows

#### An Act

To provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties



Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deduction therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year from the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deduction therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes And provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That on reports filed for the calendar year one thousand nine hundred forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year nor shall any net operating loss sustained by the corporation during the calendar year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term

"net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in de-



termining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state. In the case of construction contracts negotiated or effected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such portion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth.

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business. "Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether and premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions:

(a) All premiums returned on policies cancelled or not taken.

(b) In the case of stock companies with participating features an additional deduction for that portion of the premium returned to the policyholders.

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums.

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere.

"Person" Every natural person association or corporation. Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof.

The singular shall include the plural and the masculine shall include the feminine and neuter.

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association

limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years



commencing in the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provision of existing laws

Section 4 [Report] Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four to transmit to the department upon a form prescribed prepared and furnished by the department [a] an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

[(a)] (1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

[(b)] (2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

[(c)] (3) Such other information as the department may require

[The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of]

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable year one thousand nine hundred fifty-three it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three month of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government and had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding

year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable year one thousand nine hundred fifty-three every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time



for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States. In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes. Whenever a resettlement shall have been made hereunder the department shall resettle the amount according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made. The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with [the] such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

(d) The provisions of this section shall not be construed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not allowed as deductions under the definition of "Net Income" as contained in section two of this act

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation. The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount

paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approved by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act. The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act. Every such corporation is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized. Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and



other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the calendar years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three or for the fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred and fifty-three and one thousand nine hundred and fifty-four

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ANDREWS. Mr. Speaker, we have no objection to concurrence in the Conference Report on House Bill 1692.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—203

Amarando,	Graybill,	Maxwell,	Rovansek.
Andrews,	Greenwood,	Mazza,	Royer,

Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCullough,	Sarraf,
Baumunk,	Gutendorf,	McCormack,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bloom,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Buechin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenen,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dairymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lyons,	Rigby,	Yetzer,
Gibson,	Lutty,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
Goodling,	Markley,	Rosen,	Speaker

#### NAYS—2

Geer, White.

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1693

Mr. HALL. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1693.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1693, entitled:

"An act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694) entitled 'An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire' by eliminating certain deductions further providing for the disposition of moneys received hereunder and changing penalties"

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, Jr.  
FRANK W. RUTH.

(Committee on the part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER.

(Committee on the part of the House of Representatives.)

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions for the calendar year 1951 and thereafter further providing for the disposition of moneys received hereunder and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 451) is hereby further amended to read as follows

Section 3 The amount of excise tax annually to be paid by each company specified in section one of this act shall be as follows (1) In case of a company operating routes which are entirely within the limits of this Commonwealth eight (8) mills upon the dollar upon the gross receipt of such company from all operations for the period covered by such report and (2) in case of a company operating over routes when only a part of such routes lies within this Commonwealth eight (8) mills upon the dollar upon such portion of the gross receipts of such company as is represented by the ratio that the number of miles of routes operated in this Commonwealth by such company during the period for which the report is filed bears to the total number of miles of all routes operated by such company during said period The provisions hereof shall not be construed as exempting any company from complying with the laws relating to fees payable to the Department of Revenue for the registration of motor vehicles [In the event however that an excise tax shall be paid by any company to any city of this Commonwealth for the use of its highways during the period for which the report is filed the amount of such tax so paid may be deducted from the amount of tax payable to the Commonwealth as above computed upon satisfactory proof to the Department of Revenue of such payment and in addition thereto where any such company shall have paid to the Department of Revenue a registration fee or fees as provided for by the laws of this Commonwealth upon any motor vehicle or motor vehicles used in the business of carrying passengers or property for hire over the highwaysofthisCommonwealth it shall receive a credit in each settlement for gross receipts tax made hereunder to the extent of the total amount of the registration fee of fees paid for the calendar year of which the period covered by the settlement was a part]

Section 2 Section 7 and 9 of said act are hereby amended to read as follows

Section 7 Any copmany violating any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of [two] five hundred [(\$200)] (\$500) and costs of prosecution or undergo imprisonment for not more than one year or suffer both such fine and imprisonment

Section 9 All taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three [division (1)] of this act [from companies operating routes which are entirely

within the limits of this Commonwealth] shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund [and all taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three division (2) of this act from companies operating over routes when only a part of such routes lies within the Commonwealth shall be paid into the State Treasury through the Department of Revenue and credited to the Motor License Fund]

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall apply to the excise tax imposed and payable hereunder for the calendar year one thousand nine hundred fifty-one and thereafter

On the question,

Will the House adopt the report of the Committee of Conference

Mr. ANDREWS. Mr. Speaker, I desire to be recorded as voting "no" on concurring on Conference Report on 1693.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—118

Banker.	Gleason.	Markley.	Shoemaker.
Barkdoll.	Goodling.	Mazza.	Shotwell.
Baumunk.	Graybill.	McConnell.	Smith.
Bear.	Greenwood.	McCormack.	Sollenberger.
Beech.	Greer.	McCullough.	Spencer.
Blair.	Gutendorf.	McInroy.	Stimmel.
Bloom.	Guthrie.	McKinney.	Stoner.
Bolton.	Hall.	McMillen.	Swartz.
Bomberger.	Hamilton, W. H.	Metz.	Tahl.
Bower.	Harney.	Mikula.	Thompson, E. F.
Breisch.	Haudenschild.	Miller, H. G.	Thompson, R. L.
Brown.	Hewitt.	Miller, J. C.	Tompkins.
Cella.	Hocker.	Mintess.	Toomey.
Clapper.	Johnson.	Moore, C. E.	VanSant.
Clendening.	Jones, T. H. W.	Moore, H. A.	Varnar.
Costa.	Jump.	Murray.	Wachhaus.
Dalrymple.	Keller.	Najaka.	Waterhouse.
Davis.	Kent.	Naugle.	Watkins.
Dennison.	Kline.	Pichney.	Weldner.
Dowling.	Kohl.	Pitzer.	Wescott.
DuBois.	Kratz.	Reagan.	Whalley.
Dunn.	Lafore.	Reilly, J. M.	White.
Erb.	Lelsey.	Rigby.	Wilt.
Ewing.	Leonard, W. C.	Riley, R. L.	Wood.
Ferster.	Light.	Robertson.	Yeakel.
Firmstone.	Loftus.	Royer.	Young.
Flack.	Lyons.	Rubin.	Ziegler.
Frost.	Madden.	Sax.	Sorg.
Gibson.	Madigan.	Scott.	Speaker

#### NAYS—87

Amarando.	Hamilton, R. K.	McGee.	Rose.
Andrews.	Headlee.	McNally.	Rosen.
Beaver.	Hersch.	Mihm.	Rovansek.
Berkstresser.	Hoggard.	Mills.	Sarraf.
Boles.	Hunter.	Monroe.	Scanlon.
Breth.	Jenkins.	Moran.	Schmidt.
Bucchin.	Jones, G. E.	Muldowney.	Schuster.
Byrne.	Jones, J. M.	Munley.	Seyler.
Cochran.	Jones, P. F.	Musto.	Snider.
Conway.	Kamyk.	Needham.	Stank.
Corr.	Kolkankiewicz.	Olsen.	Swope.
Coyle.	Kornick.	Penglase.	Taylor.
Dougherty.	Kubacki.	Peta.	Toll.
Duffy.	Lederer.	Petrosky.	Varallo.
Fenrich.	Leonard, L.	Pettigrew.	Verona.
Filip.	Leven.	Pfaff.	Wargo.
Filo.	Limper.	Polaski.	Welsh.
Gaffney.	Lopresti.	Polen.	Westrick.
Geer.	Lovett.	Price, R. A.	Wheeler.
Good.	Lutty.	Readinger.	Williams.
Guarnieri.	Maxwell.	Reese.	Yetzer.
Hagerty.	McDermitt.	Reidenbach.	

#### NOT VOTING—3

Cooper.	Helm.	Price, H. W. Jr.,
---------	-------	-------------------

The majority required by the Constitution having voted



in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1695

Mr. HALL. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1695.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee on Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1695, entitled:

"An act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345) entitled 'An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships State and county officers boards and departments making an appropriation and providing penalties' by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time"

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.  
FRANK W. RUTH,

(Committee on the part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-

stock associations limited partnerships State and county officers boards and departments making an appropriation amended to read as follows

and providing penalties" are hereby reenacted and amended to read as follows

### An Act

To provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title This act shall be known and may be cited as the "Corporation Income Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include non-profit corporations building and loan association banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and foreign surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 Net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any dividends received from any other corporation And provided further That no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That no deduction shall be allowed for net operating losses sustained by the corporation during and other fiscal or calendar year And provided further That in the case of stock life fire casualty and indemnity insurance companies operating on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In the case of corporations owning property or carrying on activities within and without this Commonwealth other than corporations carrying on activities as insurance or surety companies the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by allocations and apportionments of net income as defined in clause one hereof made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth



(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part of this Commonwealth

(c) The resultant net income if any after allocations shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from property and activities assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its property and activities

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from property and activities carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable years as represent the wages salaries commissions or other compensation of employees to the extent of services rendered or work performed in the Commonwealth and similar expenditures to employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from property and activities assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year from services rendered work and contracts performed and sales made in the Commonwealth and all other gross receipts except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from property and activities assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or effected in an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such pro-

portion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contracts shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In the case of corporations carrying on activities as insurance or surety companies within and without this Commonwealth the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by multiplying net income as defined in clause one hereof by a fraction of which the numerator is the gross premiums received from activities carried on within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its activities everywhere

"Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from activities carried on in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Sources within this Commonwealth" includes tangible or intangible property located or having a situs in this Commonwealth and any activities carried on in this Commonwealth regardless of whether carried on in intrastate interstate or foreign commerce

"Carrying on activities" shall include every act power or privilege exercised or enjoyed in this Commonwealth as an incident to or by virtue of the powers and privileges acquired by the nature of the corporate organization

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership joint-stock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing



to such corporation during the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal year commencing in the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three and ending in the calendar years one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four Provided however That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) as reenacted and amended according to or measured by net income

Except as otherwise provided in this section the tax hereby imposed shall be in addition to all taxes now imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 [Report] Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-four to transmit to the department upon a form prescribed prepared and furnished by the department [a] an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

[a] (1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portion of said return as the department may designate

[b] (2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

[c] (3) Such other information as the department may require

The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of all taxes imposed under the provision of this

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable year one thousand nine hundred fifty-three it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable year one thousand nine hundred fifty-three every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election

(1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal o court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income



**Section 6 Extension of Time to File Reports** The department may upon application made to it in such form as it shall prescribe on or prior to the last day of filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

**Section 7 Changes Made by Federal Government** (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States. In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes. Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made. The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with [the] such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

**Section 8 Settlement and Resettlement** (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation. The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United

States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts continued in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

**Section 9 Enforcement Rules and Regulations** Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter of thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act. The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act. Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized. Any information gained by the department as a result of any returns investigations or verification required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

**Section 10 Retention of Records by Corporations** Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Com-



monwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such constitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations derived from sources within the Commonwealth for the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred fifty-three or for the fiscal years ending in the calendar years one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-four

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ANDREWS. Mr. Speaker, we have no objection to concurring in the Conference Report on House Bill 1695.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—203

Amarando,	Greenwood,	Mazza,
Andrews,	Greer,	McConnell,
Banker,	Guarnieri,	McCormack,
Barkdoll,	Gutendorf,	McCullough,
Baumunk,	Guthrie,	McDermitt,
Bear,	Hagerty,	McGee,
Beaver,	Hall,	McInroy,
Beech,	Hamilton, R. K.,	McKinney,
Berkstresser,	Hamilton, W. H.,	McMillen,
Blair,	Harney,	McNally,
Bloom,	Haudenschild,	Metz,
Boles,	Headlee,	Mihm,
Bolton,	Helm,	Mikula,
Bomberger,	Hersch,	Miller, H. G.,
Bower,	Hewitt,	Miller, J. C.,
Breisch,	Hocker,	Mills,
Breth,	Hoggard,	Mintess,
Brown,	Hunter,	Monroe,
Bucchin,	Jenkins,	Moore, C. E.,
Byrne,	Johnson,	Moore, H. A.,
Cella,	Jones, G. E.,	Moran,
Clapper,	Jones, J. M.,	Muldowney,
Clendening,	Jones, P. F.,	Munley,
Cochran,	Jones, T. H. W.,	Murray,

Conway,	Jump,
Cooper,	Kamyk,
Corr,	Keller,
Costa,	Kent,
Coyle,	Kline,
Dalrymple,	Kohl,
Davis,	Kolankiewicz,
Dennison,	Kornick,
Dougherty,	Kratz,
Dowling,	Kubacki,
Duffy,	Lafore,
Dunn,	Lederer,
Erb,	Lelsey,
Ewing,	Leonard, L.,
Fenrich,	Leonard, W. C.,
Fenster,	Leven,
Filip,	Light,
Filo,	Limper,
Firmstone,	Loftus,
Flack,	Lopresti,
Frost,	Lovett,
Gaffney,	Lutty,
Gibson,	Lyons,
Gleason,	Madden,
Good,	Madigan,
Goodling,	Markley,
Graybill,	Maxwell,

Musto,	Thompson, R. L.,
Najaka,	Toll,
Naugle,	Tompkins,
Needham,	Toomey,
Olsen,	VanSant,
Penglaase,	Varallo,
Peta,	Varner,
Petrosky,	Verona,
Pettigrew,	Wachhaus,
Pfaff,	Wargo,
Pichney,	Waterhouse,
Pitzer,	Watkins,
Polaski,	Weidner,
Polen,	Welsh,
Price, H. W. Jr.,	Wescott,
Price, R. A.,	Westrick,
Readinger,	Whalley,
Reagan,	Wheeler,
Reese,	Williams,
Reldenbach,	Wilt,
Reilly, J. M.,	Wood,
Rigby,	Yeakel,
Riley, R. L.,	Yetzer,
Robertson,	Young,
Rose,	Ziegler,
Rosen,	Sorg,

Speaker

#### NAYS—3

DuBois,

Geer,

White,

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1697

Mr. HALL. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1697.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1697, entitled:

"An act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' by increasing the rate of tax in certain instances from ten per centum to fifteen per centum"

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.,  
FRANK W. RUTH,  
(Committee on part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,  
(Committee on the part of the House of Representatives.)



An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 757) and the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 868) is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be imposed upon the clear value of the property subject to the tax and shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use or father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of [ten] fifteen per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth Provided That when the transfer is by the interstate law of this Commonwealth and at the expiration of seven years from the date of the death of the intestate the estate of the intestate has not been distributed the taxes imposed by this act shall be at the rate of eighty per centum upon the clear value of the property subject to such tax passing from the use of a first cousin or other relatives more remote in degree than a first cousin and the taxes imposed by this proviso are imposed upon every transfer by the interstate laws of this Commonwealth of an estate or a portion of an estate which estate or portion thereof shall not have been distributed prior to the passage of this act In ascertaining the clear value of such estate the only deductions to be allowed from the gross values of such estates by the register of wills shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interest or income from

which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or grave stone grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Territory except as otherwise provided in section one of this act Provided that the deductions herein allowed in the case of any indebtedness of the decedent shall when founded upon a promise or agreement be limited to the extent that they were contracted bona fide and for an adequate and full consideration in money or money's worth and provided further That whenever the allowance of any deduction by the register of wills from the gross value of such estates shall be in dispute the question of allowance shall be determined by the court having jurisdiction of the accounts of the personal representative of the decedent in the adjudication made by such court upon any such account and unless either party shall by exceptions to the account or to the adjudication thereon duly presented as provided by law raise its objection to the allowance or disallowance of a deduction for any credit claimed in the account or any award made in the adjudication as the case may be the adjudication confirming the account or making the award shall conclusively establish that the deduction should be allowed or disallowed as the case may be

Section 2 This act shall become effective immediately upon its enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. READINGER. Mr. Speaker, I desire to inform the House that while I signed this Conference Report as one of the conferees on the part of the House, I am opposed to the bill.

The Conference Report seems to be the best bill that could be agreed upon by the conferees, and as you know it has reduced the rate of inheritance tax on collaterals from 20 percent, as was passed by this House, to 15 percent. I stated when the House first acted and passed this bill that I could not go along with it because the rate on charitable gifts by will was being raised above 10 percent.

I was not able to have the Conference Report adopt my thought on this matter of keeping the charitable gifts at 10 percent, and I say this bill is better than it was when it passed the House it is still not satisfactory to me, and I am going to have vote against it for that reason.

Mr. ANDREWS. Mr. Speaker, I have no objections to accepting the conference report on House Bill 1697, but I believe there are some Members in the House who desire to be recorded as voting "no."

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—192

Amarando,	Graybill,	Madigan,	Robertson,
Andrews,	Greenwood,	Maxwell,	Rose,
Banker,	Greer,	Mazza,	Rovansek,
Barkdoll,	Guarnieri,	McConnell,	Royer,
Baumunk,	Gutendorf,	McCormack,	Rubin,
Bear,	Guthrie,	McCullough,	Sax,
Beaver,	Hagerty,	McDermitt,	Scanlon,
Beech,	Hall,	McGee,	Schuster,
Blair,	Hamilton, R. E.,	McInroy,	Scott,
Bloom,	Hamilton, W. H.,	McKinney,	Shoemaker,
Boles,	Harney,	McMillen,	Shotwell,



Bolton,	Haudenschild,	McNally,	Smith,
Bomberger,	Headlee,	Metz,	Sollenberger,
Bower,	Helm,	Mihm,	Spencer,
Brelsch,	Hersch,	Mikula,	Stimmel,
Breth,	Hewitt,	Miller, H. G.,	Stoner,
Brown,	Hocker,	Miller, J. C.,	Swartz,
Bucchin,	Hoggard,	Mills,	Swope,
Byrne,	Hunter,	Mintess,	Tahl,
Cella,	Jenkins,	Monroe,	Taylor,
Clapper,	Johnson,	Moore, C. E.,	Thompson, E. F.,
Clendening,	Jones, G. E.,	Moore, H. A.,	Thompson, R. L.,
Cochran,	Jones, J. M.,	Moran,	Tompkins,
Conway,	Jones, P. F.,	Muldowney,	Toomey,
Corr,	Jones, T. H. W.,	Munley,	VanSant,
Costa,	Jump,	Murray,	Varallo,
Coyle,	Kamyk,	Musto,	Varner,
Dalrymple,	Keller,	Najaka,	Verona,
Davis,	Kent,	Naugle,	Wachhaus,
Dennison,	Kline,	Needham,	Wargo,
Dougherty,	Kohl,	Olsen,	Waterhouse,
Dowling,	Kolankiewicz,	Penglase,	Watkins,
Duffy,	Kornick,	Peta,	Weldner,
Dunn,	Kratz,	Petrosky,	Wescott,
Erb,	Kubacki,	Pettigrew,	Westrick,
Ewing,	Lafore,	Pfaff,	Whalley,
Fenrich,	Lelsey,	Pichney,	Wheeler,
Ferster,	Leonard, L.,	Pitzer,	White,
Fillip,	Leonard, W. C.,	Polaski,	Williams,
Firmstone,	Leven,	Polen,	Wilt,
Flack,	Light,	Price, H. W. Jr.,	Wood,
Frost,	Limper,	Price, R. A.,	Yeakel,
Gaffney,	Loftus,	Reagan,	Yetzer,
Geer,	Lopresti,	Reese,	Young,
Gibson,	Lovett,	Reidenbach,	Ziegler,
Gleason,	Lutty,	Reilly, J. M.,	Sorg,
Good,	Lyons,	Rigby,	Speaker
Goodling,	Madden,	Riley, R. L.,	

## NAYS—13

Berkstresser,	Lederer,	Schmidt,	Stank,
Cooper,	Readinger,	Seyler,	Toll,
DuBois,	Sarraff,	Snider,	Welsh,
Filo,			

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1698

Mr. HALL. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1698.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1698, entitled:

"An act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue serving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties"

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.,  
FRANK W. RUTH,  
(Committee on the part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,

ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Realty Transfer Tax Act"

Section 2 The following words when used in this act shall have meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned or conducted by two or more persons

"Corporation" A corporation or joint-stock association organized under the law of this Commonwealth the United States or any other state territory or foreign country or dependency including but not limited to banking institutions

"Department" The Department of Revenue of this Commonwealth

"Document" Any deed instrument or writing whereby any lands tenements or hereditaments within this Commonwealth or any interest therein shall be granted bargained sold or otherwise conveyed to the grantee purchaser or any other person but does not include wills mortgages transfers between husband and wife transfers between parent and child and leases

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Value" In the case of any document granting bargaining selling or otherwise conveying any land tenement or hereditament or interest therein the amount of the actual consideration therefor including liens or other encumbrances thereon or a commensurate part of the liens or other encumbrances thereon where such liens or other encumbrances also encumber other lands tenements or hereditaments Provided That where such document shall set forth a small or nominal consideration the "value" thereof shall be determined from the price set forth in or actual consideration for the contract of sale or in the case of a gift from the actual monetary worth of the property granted bargained sold or otherwise conveyed which in either event shall not be less than the amount of the highest assessment of such lands tenements or hereditaments for local tax purposes

Section 3 Every person who makes executes issues delivers or accepts any document or in whose behalf any document is made executed issued delivered or accepted shall be subject to pay for and in respect thereof or for or in respect of the vellum parchment or paper upon which such document is written or printed a State tax at the rate of one (1) percentum of the value of the property represented by such document which State tax shall be payable at the time of making execution issuance delivery or acceptance of such document

Section 4 The payment of the tax imposed by this act shall be evidenced by the affixing of a documentary stamp or stamps to every document by the person making executing issuing or delivering such document Such stamps shall be affixed in such manner that their removal will require the continued application of steam or water and the person using or affixing such stamps shall write or stamp or cause to be written or stamped thereon the initials of his name and the date upon which such stamps are affixed or used so that such stamps may not again



be used Provided That the department may prescribe such other method of cancellation as it may deem expedient

Section 5 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places as it may deem necessary

The department may appoint recorders of deeds or other persons within or without the Commonwealth as agents in accordance with the provisions of The Fiscal Code the Act of April 9 1929 P. L. 343 as amended for the sale of stamps to be used in paying the tax herein imposed upon documents and may allow a commission to said agents of one-half of one percent of the face value of the stamps

All moneys paid into the State Treasury during the effective period of this act shall be credited to the General Fund

Section 6 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and means to be used in affixing or cancelling of stamps in substitution for or in addition to the method and means provided in this act

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 7 No document upon which tax is imposed by this act shall be made the basis of any action or other legal proceeding nor shall proof thereof be offered or received in evidence in any court of this Commonwealth or recorded in the office of any recorder of deeds of any county of this Commonwealth unless a documentary stamp or stamps as provided in this act have been affixed thereto

Section 8 Every document upon which tax is imposed by this act when lodged with or presented to any recorder of deeds in this Commonwealth for recording shall set forth therein and as a part of such document the true full and complete value thereof or shall be accompanied by an affidavit executed by a responsible person connected and setting forth the true full and complete value thereof

Any such recorder of deeds who shall record any document upon which tax is imposed by this act without the proper documentary stamp or stamps affixed thereto as required by this act as is indicated in such document or accompanying affidavit shall upon summary conviction before any magistrate alderman or justice of the peace or other officer having the powers of a committing magistrate be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution and in default of payment thereof undergo imprisonment for not more than thirty (30) days Provided That when any document shall have been recorded it shall be presumed that all requirements of law affecting the title to any real property conveyed thereby have been complied with

Section 9 (a) It shall be unlawful for any person to

1 Make execute issue deliver or accept or cause to be made executed issued delivered or accepted any document without the full amount of tax thereon being duly paid or

2 Make use of any documentary stamp to denote payment of any tax imposed by this act without cancelling such stamp as required by this act or as prescribed by the department or

3 Fail neglect or refuse to comply with or violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act

Any person violating any of the provisions of this subsection (a) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00) and costs of prosecution or to undergo imprisonment of not more than ninety (90) days or both in the discretion of the court (b) It shall be unlawful for any person to

1 Fraudulently cut tear or remove from a document any documentary stamp or

2 Fraudulently affix to any document upon which tax is imposed by this act any documentary stamp which has been cut torn or removed from any other document upon which tax is imposed by this act or any documentary stamp of insufficient value or any forged or counterfeited stamp or any impression of any forged or counterfeited stamp die plate or other article or

3 Wilfully remove or alter the cancellation marks of any documentary stamp or restore any such documentary stamp with intent to use or cause the same to be used after it has already been used or knowingly buy sell offer for sale or give away any such altered or restored stamp to any person for use or knowingly use the same or

4 Knowingly have in his possession any altered or restored documentary stamp which has been removed from any document upon which tax is imposed by this act Provided That the possession of such stamps shall be prima facie evidence of an intent to violate the provisions of this clause or

5 Knowingly or wilfully prepare keep sell offer for sale or have in his possession any forged or counterfeited documentary stamps

Any person violating any of the provisions of this subsection (b) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) and costs of prosecution or to undergo imprisonment for not more than five (5) years or both in the discretion of the court

Section 10 Notwithstanding anything contained in any law to the contrary the validity of any ordinance or part of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto now or hereafter enacted or adopted by any political subdivision providing for or relating to the imposition levy or collection of any tax shall not be affected or impaired by anything contained in this act

Section 11 This act shall become effective the first day of February one thousand nine hundred fifty-two and shall remain in force until and including the thirty-first day of May one thousand nine hundred fifty-three

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. ANDREWS. Mr. Speaker, we do not accept the Conference Report on House Bill 1698, although I understand there are some Members of the minority on the floor of the House who want to vote for it.

Mr. READINGER. Mr. Speaker, this is the Conference Report on the tax bill relating to transfers of real estate. I have signed it as a conferee and I intend to vote for it. But I would like to point out that the bill is far from a desirable one in that it fails to recognize what I consider to be certain equities on the part of people who buy and sell real estate, whether it be a home or business property.

For example, it will impose a tax on the full value of a property which A might sell to B, which is already under the lien of a mortgage. So that if the actual money passing is \$2,000 on a \$10,000 house and there is an \$8,000 mortgage on it, which might take the purchaser 10, 12, 15 years to pay off, he will still pay the one percent tax on the full \$10,000.

The matter of working that out in a more equitable manner appeared to the conferees to be quite difficult and cumbersome and for that reason, I believe, the decision was made not to give relief to such a purchaser or such a seller.

I intend to vote for it because of the great need for revenue and the revenue which this will raise, but I do



not want the record to indicate in any way that I am fully satisfied with all the details of this bill.

Mr. SEYLER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, I am interested in asking the gentleman what change, if any, has been made in this bill since it was voted upon on final passage in the House?

Mr. JOHNSON. Mr. Speaker, since the bill was passed originally in the House the Senate deleted from the bill a provision which would have taxed options to purchase and lease, particularly leases of oil and gas territory. And the reason for the deletion of options to purchase and those leases, it was found that there was such a multitude of ways in which the market value could be computed on various leases, it was so litigation-provoking that it was thought wise to expunge it from the bill.

The next change was made in the effective date when the stamps will be available. The effective date is now February 1, 1952, whereas it was effective immediately.

The next change that was made in the bill as it is now before us, previously the person who made, issued and delivered the instrument was primarily subject to the tax. That is still true in this bill. However, if that person fails to put the tax stamps on, the person who accepts the instrument will have to put them on. That was to get away from the possibility of taking the transaction over into New Jersey and consummating it over there and bringing it over into Pennsylvania tax free.

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from McKean also.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether or not under Section 3 and Section 4 of this bill on pages 5 and 6, it is the intention of this Legislature to impose the primary responsibility for the payment of this tax on the seller of the property and not upon the buyer?

Mr. JOHNSON. Mr. Speaker, in answer to the question I would say that that is true. The intention of the act is that the duty to fix the stamps shall primarily be on he seller. As I read the manner in which the bill is before us now, if the seller fails to put them on, the stamps will have to be affixed by the purchaser in order to record the deed.

Mr. READINGER. Mr. Speaker, is it your understanding that it is the intent of this Legislature when we pass this bill to require the seller to furnish these stamps and put them on the document before the buyer accepts the deed?

Mr. JOHNSON. Mr. Speaker, technically that is correct.

Mr. READINGER. Mr. Speaker, in other words, when we follow the words under Section 4 that the payment of the tax imposed by this act shall be evidenced by the affixing of a documentary stamp or stamps to every document by the person making, executing, issuing or delivering such document, does that mean to you that that is the person who shall buy the stamps and affix them to

the document before giving the document to the buyer?

Mr. JOHNSON. Mr. Speaker, that is right. That would be the vendor, the seller, the grantor, the transferee or whatever you want to call him.

Mr. READINGER. Mr. Speaker, I thank the gentleman.

In my own mind there is no doubt what is intended by this act. But as the Members are probably well aware, when there is any reasonable question as to what was intended by this Legislature by a certain enactment, the courts when faced with that problem frequently try to find what the legislative intent was. I say in my opinion this bill clearly imposes the liability upon the seller to buy these stamps and affix them.

However, if the buyer will accept the deed from a seller without having the stamps put on, he also under the terms of this bill becomes liable for the payment of that tax, so that the Commonwealth will get its tax whether the seller pays or whether the buyer pays it.

I have tried to establish the fact that we at least intended this bill to mean that the seller is the one who shall pay this tax.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—106

Banker,	Gleason,	Madigan,	Sax,
Barkdoll,	Goodling,	Markley,	Scott,
Baumunk,	Graybill,	Mazza,	Shoemaker,
Bear,	Greenwood,	McCormack,	Smith,
Blair,	Greer,	McCullough,	Sollenberger,
Bloom,	Gutendorf,	McInroy,	Spencer,
Bolton,	Guthrie,	McKinney,	Stimmel,
Bomberger,	Hall,	McMillen,	Stoner,
Bower,	Hamilton, W. H.,	Metz,	Swartz,
Brelach,	Harney,	Mikula,	Tahl,
Brown,	Helm,	Miller, H. G.,	Thompson, E. F.,
Cella,	Hewitt,	Miller, J. C.,	Tompkins,
Clapper,	Hocker,	Mintess,	Toomey,
Clendenning,	Johnson,	Moore, C. E.,	VanSant,
Costa,	Jones, T. H. W.,	Moore, H. A.,	Varner,
Dalrymple,	Jump,	Murray,	Wachhaus,
Davis,	Keller,	Najaka,	Watkins,
Dennison,	Kent,	Naugle,	Weidner,
Dowling,	Kline,	Pichney,	Wescott,
DuBois,	Kohl,	Pitzer,	Whalley,
Dunn,	Kratz,	Reagan,	Wilt,
Erb,	Lafore,	Reilly, J. M.,	Wood,
Ferster,	Lelsey,	Rigby,	Yeakel,
Firmstone,	Light,	Riley, R. L.,	Ziegler,
Flack,	Loftus,	Robertson,	Sorg,
Frost,	Lyons,	Royer,	Speaker
Gibson,	Madden,	Rubin,	

## NAYS—99

Amarando,	Hamilton, R. K.,	McGee,	Rovansek,
Andrews,	Haudenshield,	McNally,	Sarraf,
Beaver,	Headlee,	Mihm,	Scanlon,
Beech,	Hersch,	Mills,	Schmidt,
Berkstresser,	Hoggard,	Monroe,	Schuster,
Boies,	Hunter,	Moran,	Seyler,
Breth,	Jenkins,	Muldowney,	Shotwell,
Bucchin,	Jones, G. E.,	Munley,	Snider,
Byrne,	Jones, J. M.,	Musto,	Stank,
Cochran,	Jones, P. F.,	Needham,	Swope,
Conway,	Kamyk,	Olsen,	Taylor,
Cooper,	Kolankiewicz,	Penglase,	Thompson, R. L.,
Corr,	Kornick,	Peta,	Toill,
Coyle,	Kubacki,	Petrosky,	Varallo,
Dougherty,	Lederer,	Pettigrew,	Verona,
Duffy,	Leonard, L.,	Pfaff,	Wargo,
Ewing,	Leonard, W. C.,	Polaski,	Waterhouse,
Fenrich,	Leven,	Polen,	Welsh,
Filip,	Limper,	Price, H. W. Jr.,	Westrick,
Filo,	Lopresti,	Price, R. A.,	Wheeler,



Gaffney,	Lovett,	Readinger,	White,
Geer,	Lutty,	Reese,	Williams,
Good,	Maxwell,	Reidenbach,	Yetzer,
Guarnieri,	McConnell,	Rose,	Young,
Hagerty,	McDermitt,	Rosen,	

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1694

Mr. HALL. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1694.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1694, entitled:

"An act to further amend section twenty-four of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine' by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax"

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.,  
FRANK W. RUTH,  
(Committee on the part of the Senate)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,

(Committee on the part of the House of Representatives)

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax for the calendar year 1951 and thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 212) is hereby further amended to read as follows

Section 24 It shall be the duty of the president secretary or other proper officer of each and every insurance com-

pany association or exchange incorporated by or under any law of this Commonwealth except [life insurance companies and companies doing business upon the mutual plan without any capital stock and] purely mutual beneficial associations whose funds for the benefit of members their families or heirs are made up entirely of the weekly or monthly contributions of their members and the accumulated interest thereon to make report in writing to the Department of Revenue on or before the fifteenth day of March in each year setting forth the entire amount of premiums premiums deposits or assessments received by such company association or exchange during the year ending with the thirty-first day of December preceding whether the said premiums premium deposits or assessments were received in money or in the form of notes credits or any other substitutes for money and whether the same were collected in this Commonwealth or elsewhere and every such company association or exchange shall pay into the State Treasury through the Department of Revenue within the time prescribed by law for the payment of State taxes settled by the Department of Revenue in addition to any other taxes to which it may be liable under the first and twenty-first sections of this act a tax of [eight mills on the dollar] two per centum upon the gross amount of said premiums premium deposits and assessments received from business transacted within this Commonwealth Provided however that a credit not exceeding sixty per centum of the tax imposed by this act shall be allowed in the payment of said tax for the capital stock and corporate net income taxes paid to the Commonwealth for the same period or the fiscal year ending in said period

Such company association or exchange in reporting for taxation may deduct from the gross premiums premium deposits and assessments all amounts returned on policies cancelled or not taken and all premiums received for reinsurance and mutual companies associations exchanges and stock companies with participating features which may for any reason be required to report under this act in addition to the aforesaid deductions may deduct that portion of the advanced premiums premiums deposits or assessments returned in cash or credited to members or policyholders whether as dividends earnings savings or return deposits upon the expiration or termination of their contracts and notes or other obligations received by mutual insurance companies to secure contingent premium liabilities to the extent that no assessment has been made and collected against said notes or obligations Provided That hereafter the annual tax upon premiums of insurance companies of other states or foreign governments shall be at the rate of two per centum upon the gross premiums of every character and description received from business done within this Commonwealth within the entire calendar year preceding The penalties for failure to make report and pay the tax as herein required shall be as provided by law

Section 2 This amendment shall be effective as to the tax upon gross premiums premium deposits and assessments received during the calendar year one thousand nine hundred fifty-one and during subsequent years

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. BOMBERGER. Mr. Speaker, in House Bill No. 1694, which was a part of the alternate tax package passed by this House, there were several items in the bill which I shall enumerate briefly.

The tax on certain insurance companies had formerly been eight mills on the gross receipts of the insurance companies. This bill which we passed increased that tax by two and a half times, or from eight mills to two percent. Which is one of the largest tax jumps that I have heard of in any state at one time for many years.

After this bill had been passed by the House and was



sent to the Senate, it was amended. Incidentally, the bill which we passed called for an effective date of November 1st, 1951. The Senate amended the bill making the tax retroactive to January 1st, 1951, which would mean that all these companies would have to pay a tax two and a half times the amount they formerly paid. They would be told in the last few days of the year 1951 that they would be obliged to pay the tax on their entire gross income for the year 1951.

There were certain insurance companies which from the founding of our State had been exempt from the payment of this particular insurance tax. Those domestic mutuals or the mutual companies which were chartered by the state of Pennsylvania were exempt from all taxation. The amendments which have been written into this bill by the Senate would impose a two percent tax on their gross income. It would not take into consideration any expenses which the companies would have and whether they made or lost money on the underwriting of their business; it would be necessary that they pay the two percent tax on the full amount of premiums collected.

This also would mean that these same companies would have been notified in the later part of December 1951 that a two percent tax would be imposed upon them for the entire year of 1951.

I feel that this is grossly unfair, particularly to the mutual companies, which are non-profit organizations. In the financing of insurance, one of the main things is the setting up of reserves for contingencies.

The only place that this tax money can come from for the year 1951 is from the reserves of the various insurance companies that are affected, and it will substantially reduce the reserve account in their financial statements.

I therefore request the Members of this House to vote "no" on this conference report.

Mr. MORAN. Mr. Speaker, what printer's number are you looking at at the desk?

The SPEAKER. For the information of the gentleman, the Chair has Printer's No. 1118.

Mr. MORAN. I understood the Speaker to say he was using Printer's number 1080.

The SPEAKER. The Chair thanks the gentleman. The Chair recalls having mentioned Printer's Number 1080 and acknowledges the error.

Mr. SMITH. Mr. Speaker, I am not first of all an insurance expert. And I want to emphasize one of the things that the gentleman just said, that this was a substitute or an alternate tax program that was passed to the Senate.

We in the House do not take too much pride in it; we do not take too much pride in this bill. But I cannot emphasize enough—and I certainly have been trying to do it to individual Members and to my own caucus—that we are not voting on tax bills. Please remember that! The tax bills have passed this House. We are voting on Conference Reports on amendments to the tax bills we passed.

Now the mutuals pay no taxes at present to the state of Pennsylvania. They are riding free. They are not responsible for one cent to our general fund.

There has been a lot of misinformation on this bill and on this tax Conference Report. Mis-information from top to bottom. I have a sheet here in front of me that was given out today evidently by representatives of the

insurance companies. It is headed "To Members of the Senate and House of Representatives." And it says, "from insurance companies domiciled in Pennsylvania."

I do not know what that means. I called two of the largest insurance companies that are domiciled in Pennsylvania today, and they knew nothing at all about this piece of paper that was given out. I called the Insurance Company of North America and the Fire Insurance Association. I think they have a pretty good reputation and I think they are big insurance companies. They knew nothing about this thing that has been given out.

This piece of paper that was given out by the insurance companies domiciled in Pennsylvania states that this bill imposes a confiscatory tax on at least 17 small Pennsylvania life insurance companies and beneficial associations.

If they had taken the bother and time to read the Conference Report that we are now voting on and that they are trying to kill with this piece of paper, they would see that the beneficial associations have been taken out. They also have two specific examples here where it shows that a mutual life insurance company that earned \$11,000 in 1949 would pay \$26,000 tax. They do not have a thing on here about dividends. I have checked with our Revenue Department and I checked with other individuals interested in insurance, and they say that anyone that can prove anything by those two examples—they have not included dividends—cannot do it. Maybe the gentleman who wrote this can do it for us. They are not true facts; they are not all of the facts. And they are asking us again to vote against a Conference Report with these things in it.

Another thing they are doing down at No. 4. They say that the tax will probably reach most fraternal and beneficial societies, such as those long operated by the Masonic Order—this bill will affect them. They are not talking about the Conference Report. They say the Eagles will be affected; the Odd Fellows, the pension funds, police and firemen's pension and relief funds, county mutual fire and county casualty companies.

We took out in this Conference Report every one of those things that they mentioned. I am washing my hands of it tonight, and I am placing the brunt of the responsibility on you Members if you vote against this Conference Report.

I want you to know that when you vote against this Conference Report, your Masonic order, the Eagles, the Odd Fellows, the pension funds of police and firemen will be in the bill because we are taking them out in the Conference Report. Now if it makes sense to vote against the Conference Report like that, I don't know how.

I do not say it was a good bill, but I do say this: that this Conference Report makes it a very much better bill than it was when we sent it to the Senate.

Let me assure you of something else: if this Conference Reports falls, the responsibility is on you Members who vote against it. When the Senate passes the tax bill—which they will do without these things taken out—it is your responsibility and not the responsibility of the Member who voted for the Conference Report. Bear that in mind. The Senate will pass this bill as we send it back, and it is not in good shape, it is not a good form. Beneficial societies are in it. We are trying to help them; we are trying to take them out. We are taking the pension funds out. You are voting against every one of those



organizations if you vote against this Conference Report.

All I have to say is, think before you vote against it.

Mr. BOMBERGER. Mr. Speaker, it seems by the remarks made by our Majority Leader that there were quite a few corrections made in Conference Committee to House Bill 1694.

I wonder why they overlooked one of the most important features in the bill. Incidentally in my remarks on this bill I believe that I confined my remarks to the amendments which were written into the bill by the Senate. I could have but did not stray afield and tell the Members of this House why this is a much worse bill than our Majority Leader admitted it was.

I cannot conceive why the Conference Committee, if they put as much time and thought on this bill as they claim, overlooked the fact that the Members of this House by agreeing with the Conference Committee would impose a tax first on a group of insurance companies that up until this time had not been taxed; and secondly, increase an existing tax by two and a half times. Finally, passing the bill in the end of December and making it retroactive to January 1st, of that year. This bill will impose a financial difficulty on large and small insurance companies.

As I stated before the financing of an insurance company is a very intricate affair. The two per cent tax on gross receipts, regardless of expenses, is an item that has not been anticipated by any insurance company in the Commonwealth of Pennsylvania. In many cases the companies who derive their premiums from assessments have already levied their assessments for the year 1951 and collected their premium income. Now at the end of the year we notify them that regardless of the fact that the two percent tax on this income was unknown to them at the time they levied their assessment, regardless of that fact, they are forced to pay to the State of Pennsylvania a two percent tax.

That is one of the most unfair features of this bill. As far as I am concerned I would much rather have the report of this Committee on Conference voted down on the basis that the amendments which were put into it in the Senate are a heck of a lot worse than the bill was in its original form.

Mr. ANDREWS. Mr. Speaker, I am not expressing an opinion for and on behalf of anyone except myself. I do not ask any member of the minority or any member of the majority who may be otherwise committed, to be in any way influenced by my personal attitude. I want that distinctly understood.

There has been a great deal of interest in this bill and in the Conference Report, on both sides of the capitol.

I have no doubt that members of the minority will be much more influenced by counsel from other sources than they will be influenced by anything I say. I am not endeavoring to sever them from their allegiance to any other leadership either inside this Chamber or outside. But as for myself, I desire to be recorded as supporting this conference report.

If in its wisdom the Senate receded from its amendments to the House bill, we would have an intolerable bill. I have been told by persons who want this Conference Report defeated that the Senate would not dare recede from its amendments to the House bill. I have no way of judging the extent of Senatorial daring at this time,

or Senatorial muddling, or Senatorial interference in the affairs of this Chamber. But I do desire to support the bill as expressed by the Majority Leader when he said that in the event the Senate should recede from its amendments and hand back to us the bill we handed to the Senate, we would have a bill that would be a hissing and a byword throughout the extent of this Commonwealth.

That is all I have to say, Mr. Speaker. Let everyone in this Chamber be the guardian of his own conscience since only those within this presence will be permitted to vote.

Mr. SCHMIDT. Mr. Speaker, I had no intention to make any remarks but inasmuch as a roll call has been ordered, I feel that at this time I should express the reason why I am going to vote in opposition to the Conference Report.

I have in my hand a telegram from Mr. A. H. Burchfield, President of Joseph Horne Company of Pittsburgh—one of the largest Department stores in western Pennsylvania, addressed to me as follows:

"Joseph Horne Company which employs 3,000 employees is strongly opposed to the provisions of House Bill 1694, placing a tax on annuity premiums. We oppose this provision since it is a narrow based tax and since it would greatly increase the cost of our store wide pension plan. I urge you to vote against this bill."

I also have a telegram from the Greater Beneficial Union of Pittsburgh, William T. Funk, Supreme Secretary, wherein he states:

"We kindly request you to defeat House Bill 1694. A tax on fraternal societies would compel us to raise the premiums of all our 50,000 insurance members."

Now, according to the statement that has been made by the Majority Leader to the effect that these provisions have been removed from the bill, in the event that there is non-concurrence on the other side, there would be a situation where you would have a bill with these items in, and the point is later on if we are able to get together and remove them, I would go along with the bill, but as it now stands I feel that I must oppose the Conference Report.

Mr. SMITH. Mr. Speaker, I tried to make the situation as plain as I could in my layman's language to the gentleman from Allegheny, Mr. Schmidt.

I would like to inform him that this Conference Report does everything he is now asking. It takes out annuities, it takes out pension funds, and if we do not adopt it, they will be in the bill. It takes out all beneficial societies, so his people in Pittsburgh should be very happy and send him another telegram to vote for the Conference Report. The bill has them in; the conference report takes them out.

The gentleman has reminded me, Mr. Speaker—as an afterthought—if this conference report goes down, the Senate will be able to vote on the bill with the annuities, the pension funds and the beneficial societies in it.

Mr. SEYLER. Mr. Speaker, I desire to interrogate the gentleman from Lancaster who spoke previously.

The SPEAKER. Will the gentleman from Lancaster, Mr. Bomberger, permit himself to be interrogated?

Mr. BOMBERGER. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, I am confused by all these complexities of what is in and what is out, and I would



like to ask the gentleman whether the provisions, the two percent and also setting up the date, which are contained in this Conference Report, apply to the small mutual companies which typically the farmers of counties like York and Lancaster turn to for their insurance. The kind of companies I mean, I would advise Mr. Bomberger, are the small companies which deal with the farmers in the farming communities.

Mr. BOMBERGER. Mr. Speaker, as the bill is in its present form after taking into consideration the report of the Committee on Conference, the two percent tax would be imposed upon the largest insurance companies in the state as well as the smallest companies operating on the mutual plan who normally sell to the farmers in the rural communities. Two percent tax would be imposed on all the premiums which they collect during the year 1951, and as I pointed out a few minutes ago they have already collected their assessments to cover their expenses for 1951, and this would be an additional burden on all those companies.

Mr. SEYLER. Mr. Speaker, I have been informed that these companies are non-profit, and that the only expenditures they make are expenditures for the salaries of their officials, and all other moneys received are used either to pay claims or to put into funds which are set aside for the purpose of paying claims. I would ask the gentleman if that is correct.

Mr. BOMBERGER. Mr. Speaker, that is correct.

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

In spite of the fact that the Conference Report would seem to have ameliorated the situation in regard to certain types of mutual insurance, it seems to me that it is a very bad bill as it stands, and I now am in the position of feeling that to accept this Report is to accept a bad bill.

I would like to be advised whether I am wrong in saying that we have no choice beyond either accepting this Report or the bill before the Conference Report. Is it not possible to reject this in toto? I would ask whoever is available to advise me about that.

Mr. SMITH. I do not know if I can answer the gentleman completely, but before I try I would like to say that this two percent would be taken out of the dividends at the end of the year, so if they had been assessed prior to this time, it would not do too much harm. A company would not be broke, as has been so represented, because they do have the right of levying special assessments, if need be.

We are now voting on the Conference Report. If that Report is rejected the bill will then be in its present form. It has not been altered in any respect so far as the two percent on mutuals is concerned, and the bill would then be back in the Senate, and they could vote on it again as it was sent over to them. We are not in any sense talking about the two percent in this Conference Report.

Mr. SEYLER. Mr. Speaker, a former implication that I think the Majority Leader made seemed to indicate that we had only one choice—either we are to vote for the Conference Report or for the bill as it was before the Conference Report. Now my question is: is it possible to vote against this bill with the outcome that we do not have a bill at all, is that possible at this point?

Mr. SMITH. Mr. Speaker, I would say that we do not—that it is not possible, because we are voting on the Conference Report at this time, and when we turn that down,

the bill will then be in the hands of the Senate if we non-concur.

Mr. SEYLER. Mr. Speaker, if we non-concur, am I right that it goes back to the Senate but it does not become law?

Mr. SMITH. Mr. Speaker, it does not become law until the Senate recedes from its amendments and then votes on it.

#### PARLIAMENTARY INQUIRY

Mr. READINGER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. READINGER. Mr. Speaker, is the House required to vote on this Conference Report prior to the Senate's taking action on the same report?

The SPEAKER. For the information of the gentleman, a Conference Committee having been appointed on a House bill, the House is required to act first on the report of the Committee of Conference.

Mr. ANDREWS. Mr. Speaker, for the information of the House, would the Majority Leader please take the last House reprint of this bill and compare it with the Conference Committee report for the purpose of showing specifically the changes between the Conference Report and the original bill as sent to the Senate?

Mr. SMITH. Mr. Speaker, I will have to get a reprint. Do you happen to have one? What is the Printer's number, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, this is a Senate reprint. I do not know what the Printer's No. of the bill was as it left the House.

Mr. SMITH. Mr. Speaker, not being a Member of the Conference Committee, I will yield to Mr. Johnson, who was a member of that Committee, because he is far more familiar with it than I am.

Mr. JOHNSON. Mr. Speaker, I would rather from my memory, which I believe will be substantially correct, explain the insurance bill as it left the House and went to the Senate.

I believe on third reading the bill was amended, adding annuity considerations to the bill in the House. So when the bill went over to the Senate the annuity considerations were in the bill. However, as I understand, the annuity considerations were added in another portion of the bill to make it plainer. I was informed that was to take in the foreign companies having annuity considerations in this state.

The Senate also clarified an exemption from the tax on gross premiums, considering that when the mutual company received a note—a so called premium note, that would be excluded from computing their gross premium tax, to the extent that a premium had not been assessed on the premium note, as I read the amendment.

When the bill went to the Senate a stock insurance company, as a credit against the tax, would deduct the amount of taxes that they paid on their capital stock or on their net income. We having raised the percentage to two percent, it was necessary to write in the amendment that the credit would be limited to 60 percent of what they paid for capital stock and corporate net income so that credit for the tax on the premiums which they had been paying would be preserved. That is the reason for the 60 percent clause which is now in the bill.

If the bill goes back to the Senate and they recede from



their amendments, as the Majority Leader has stated, beneficial societies will be taxed; pension funds, particularly those of Pennsylvania companies, will be taxed in full.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield for a question?

Mr. JOHNSON. Yes, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, first of all what Printer's No. are you using—977?

Mr. JOHNSON. Mr. Speaker, in relating to the gentleman how the bill left the House of Representatives, I am not using that particular bill. I am reporting it from my memory, which I believe is substantially correct.

Mr. ANDREWS. A further question, Mr. Speaker?

Will the gentleman from the last Printer's No. of the bill as it left the House, tell the House on what page beneficial associations are covered in the bill?

Mr. JOHNSON. Mr. Speaker, I now have a copy of the bill, Printer's No. 977. I believe the gentleman's question was on what page of the bill will you find included beneficial associations or other organizations as mentioned by the Majority Leader? Mr. Speaker, by way of explanation, I would say, if you will recall the tax program which we devised in the House as a substitute for the income tax, under one heading we had the elimination of exclusions.

In the bill, Section 24, page 2, the law previously was that it was the duty of the president of every insurance company incorporated under the laws of this Commonwealth—it formerly said "except life insurance companies and companies doing business upon the mutual plan without any capital stock and purely mutual beneficial associations," and so forth. In other words, as the law was previously written without the brackets in the bill, purely mutual beneficial associations were exempted from the act, and there was no report required from the president of the company. So when the bill went to the Senate we had brackets around the old laws which removed the exemptions of purely mutual beneficial associations. The brackets took them out of the exemption class and, therefore, would have made them subject to the act in that they were not excluded any longer from the bill.

Mr. ANDREWS. Mr. Speaker, that answers the question, as the Members of the House who care to resort to the bill and read it for themselves can see. I thank the gentleman.

Mr. BOMBERGER. Mr. Speaker, I wish to try to throw some light on one impression which seems to be prevalent in the House. It seems that some of our Members feel there are two things which can happen with this Conference Committee Report: One, that we adopt it. Two, that if the Conference Committee report is rejected it automatically goes to the Senate. The Senate will not insist upon their amendments and will automatically enact this bill into law. That may be the impression of some Members of the House. Personally, my impression is that if we defeat this Conference Committee report the bill is just what it should be—a dead duck.

The SPEAKER. For the information of the gentleman, should the report of the Committee of Conference not be adopted, the question will immediately recur on the amendments made by the Senate.

#### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Westmoreland, Mr. Lovett, rise?

Mr. LOVETT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LOVETT. Mr. Speaker, if what you just said is the fact, would we have another Conference Committee appointed?

The SPEAKER. For the information of the gentleman from Westmoreland, Mr. Lovett, the bill will be returned to the Senate, with the action of the House on concurrence in the amendments of the Senate, or insisting on its non-concurrence in the amendments of the Senate.

Mr. LOVETT. Mr. Speaker, and if it insists on its non-concurrence, do we then appoint another Conference Committee?

The SPEAKER. The House would then await the action of the Senate. The Senate would have the option of receding from its amendments non-concurred in by the House, or request the appointment of another Conference Committee.

Mr. LOVETT. Mr. Speaker, and if they receded, what would happen?

The SPEAKER. For the information of the gentleman, if the Senate recedes from its amendments non-concurred in by the House, the bill as passed by the House would be sent to the Governor for approval.

Mr. LOVETT. Mr. Speaker, without a vote of the Senate?

The SPEAKER. The vote of the Senate would be on its receding from its amendments.

Mr. LOVETT. Mr. Speaker and not on the bill?

The SPEAKER. The vote would then, should the Senate recede from its amendments, be on the bill as passed by the House unamended by the Senate.

Mr. LOVETT. Mr. Speaker, unamended by the Senate, but there would have to be a vote of the Senate on that particular bill?

The SPEAKER. On the question of the amendments, would be the only vote submitted to the Senate.

Mr. LOVETT. I am still a little confused, Mr. Speaker.

The SPEAKER. If the gentleman desires to state another question of parliamentary inquiry, he is permitted to do so.

Mr. LOVETT. I would like to know from the Speaker, the House without the amendments which were put in if the Senate recedes from its amendments, does the Senate then vote on the original bill that was sent from by the Senate?

The SPEAKER. For the information of the gentleman, it is the opinion of the Chair that the vote of the Senate on receding from its amendments would be a constitutional vote which would constitute final passage of the bill in its original form as received from the House of Representatives.

Mr. LOVETT. Then, Mr. Speaker, may I ask this question: am I right in my thinking when I say then that the Senate of Pennsylvania has let a bill become law that they have really and truly voted upon?

The SPEAKER. The Chair is not of that opinion, for the information of the gentleman from Westmoreland.

Mr. LOVETT. Mr. Speaker, if there is anyone who can clear it in my mind—the Senate has never voted upon the bill which we passed in the House.

The SPEAKER. For the information of the gentleman, the Senate has passed finally the bill received from the House, passed by the House with amendments. A vote



of the Senate to recede from its amendments will leave the bill passed finally without amendments. A constitutional vote by the Senate to recede from its amendments will be required.

Mr. LOVETT. Mr. Speaker, then they will never recede; they will insist upon their amendments.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays taken and were as follows:

A verification of the roll was requested by Messrs. Naugle, Banker and Bomberger.

The roll was verified and was as follows:

## YEAS—83

Andrews,	Gutendorf,	Markley,	Rubin,
Bloom,	Guthrie,	Mazza,	Sax,
Bolton,	Hall,	McCormack,	Shotwell,
Bower,	Hamilton, W. H.,	McCullough,	Smith,
Brown,	Harney,	McInroy,	Sollenberger,
Cella,	Haudenschild,	McKinney,	Spencer,
Clapper,	Helm,	McMillen,	Stimmel,
Clendenning,	Hewitt,	Metz,	Stoner,
Cooper,	Hocker,	Mikula,	Swartz,
Costa,	Johnson,	Miller, J. C.,	Thompson, R. L.,
Dalrymple,	Jones, T. H. W.,	Moore, C. E.,	Tompkins,
Davis,	Jump,	Najaka,	Toomey,
Dennison,	Keller,	Pitzer,	VanSant,
Dowling,	Kent,	Polaski,	Varnier,
DuBois,	Kohl,	Readinger,	Wachhaus,
Dunn,	Kratz,	Reagan,	Weidner,
Ewing,	Lelsey,	Reilly, J. M.,	Wescott,
Firmstone,	Leonard, W. C.,	Rigby,	Wood,
Flack,	Loftus,	Riley, R. L.,	Ziegler,
Frost,	Lyons,	Robertson,	Sorg,
Gleason,	Madden,	Royer,	Speaker

## NAYS—40

Banker,	Greenwood,	McConnell,	Schmidt,
Bear,	Greer,	Miller, H. G.,	Seyler,
Berkstresser,	Hunter,	Moore, H. A.,	Snider,
Blair,	Kline,	Moran,	Stank,
Bomberger,	Kornick,	Murray,	Toil,
Breisch,	Leven,	Naugle,	Welsh,
Ferster,	Light,	Penglase,	Whalley,
Filo,	Limper,	Pfaff,	Wheeler,
Goodling,	Lovett,	Price, H. W. Jr.,	White,
Graybill,	Madigan,	Sarraf,	Young,

## NOT VOTING—82

Amarando,	Good,	McGee,	Rosen,
Barkdoll,	Guarnieri,	McNally,	Rovansek,
Baumunk,	Hagerty,	Mihm,	Scanlon,
Beaver,	Hamilton, R. K.,	Mills,	Schuster,
Beech,	Headlee,	Mintess,	Scott,
Boies,	Hersch,	Monroe,	Shoemaker,
Breth,	Hoggard,	Muldowney,	Swope,
Bucchin,	Jenkins,	Munley,	Tahl,
Byrne,	Jones, G. E.,	Musto,	Taylor,
Cochran,	Jones, J. M.,	Needham,	Thompson, E. F.,
Conway,	Jones, P. F.,	Olsen,	Varallo,
Corr,	Kamyk,	Peta,	Verona,
Coyle,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kubacki,	Pettigrew,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Erb,	Lederer,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, R. A.,	Williams,
Filip,	Lopresti,	Reese,	Wilt,
Gaffney,	Lutty,	Reidenbach,	Yeakel,
Geer,	Maxwell,	Rose,	Yetzer,
Gibson,	McDermitt,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the Committee of Conference was not adopted.

Ordered, That the Clerk inform the Senate accordingly.

On the question recurring,

Will the House concur in the amendments made by the Senate to House Bill 1694?

Mr. SMITH. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made and insisted upon by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 333, Printer's No. 941, together with communication from the Senate be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 333.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of minimum salaries and increments of county and district superintendents assistant county and district superintendents teachers supervisors principals supervising principals and other employees

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 3, by inserting after the figures "\$6500" the words "nine thousand dollars (\$9000)".

Amend Section 3, page 5, line 16, by striking out after the figure and bracket "1820" the word "are" and inserting in lieu thereof the word "is"; page 6, line 8, by striking out the bracket before the word "valid"; line 9 by striking out the bracket after the word "instruction"; line 13, by striking out the bracket before the word "and"; line 15 by striking out the bracket after the word "instruction"; page 9, line 14, by striking out at the beginning of the line the word "increments" and inserting in lieu thereof the word "increment"; line 17 and 18 by striking out the word "increments" and inserting in lieu thereof the word "increment"; page 11, line 17, by striking out the word "increments" and inserting in lieu thereof the word "increment."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,

Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglass,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Fillip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madigan,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,	Markley,	Rosen,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 826, Printer's No. 854, together with communication from the Governor be taken from the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 826

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recall-

ing from the Governor House Bill No. 826, Printer's No. 854, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

#### RESOLUTION

#### RETURNING HOUSE BILL 826 TO GOVERNOR WITHOUT AMENDMENT

Mr. HELM offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 826, Printer's No. 854, entitled "An act to further amend the act, approve dthe eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing; certain funds fro mcontributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties,' by redefining the term "final salary" and further providing the manner of computing employes' annuities," which was recalled from the Governor on September 26, 1951, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL TAKEN FROM TABLE

Mr. WOOD. Mr. Speaker, I move that House Bill No. 25, Printer's No. 27, be taken from the table.

The motion was agreed to.

#### RESOLUTION

#### HOUSE BILL No. 25 RETURNED TO GOVERNOR WITHOUT AMENDMENT

Mr. WOOD offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), that House Bill No. 25 Printer's No. 27, entitled "An act authorizing the Department of Property and Supplies, with the approval of he Pennsylvania Historical and Museum Commission, to acquire on behalf of the Commonwealth, certain land, buildings and appurtenances, located in the Township of Manheim, Lancaster County, and certain personal property therein; and making an appropriation," which was recalled from the Governor April 26, 1951, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### ADJOURNMENT

Mr. HEWITT. Mr. Speaker, I move that this House do now adjourn until Thursday, December 13, 1951, at 12:00 o'clock noon.

The motion was agreed to, and (at 11:36 p. m.) the House adjourned.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., THURSDAY, DECEMBER 13, 1951.

No. 102.

## SENATE

THURSDAY, December 13, 1951.

The Senate met at 1 o'clock, p. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D. D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

O Thou Ever-living God, Who appointest to all their tasks and measurest the days of each life, teach us anew that Thou art our refuge and redemption. Forgive our sins, heal our hurts, keep alive our ideals, keep aflame our faith and make us strong in the right. Help us in these strange and hurrying days to accept from Thee the grace that redeems us from weakness and weariness, from impatience and fear. Speak to our hearts, set our discords to music, help us to bow our heads in reverence and then hold them high in honor. In Jesus Name, Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WADE, further reading was dispensed with, and the Journal was approved.

### HOUSE MESSAGES

#### HOUSE REJECTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1694

The Clerk of the House of Representatives being introduced, informed the Senate that the House rejects the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations,

from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1694

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

#### SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1694

Mr. WALKER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 1694.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

#### YEAS—28.

Berger,	Kessler,	Peelor,	Wagner,
Blass,	Letzler,	Probert,	Walker,
Chapman,	Mahany,	Robinson,	Watkins
Crowe,	Mallery,	Snowden,	Watson.
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
			Presiding Officer

#### NAYS—20.

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel.
Byrne,	Lane,	Neff,	Toole.
Dent,	Leader,	Rosenfeld,	Yosko.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 169

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 169, entitled:

An Act relating to common carriers, making certain acts relating to clearance unlawful; imposing certain duties and conferring powers upon the Public Utility Commission and the Attorney General; and prescribing penalties for violations.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 333

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 333, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for the payment of minimum salaries and increments for county and district superintendents, assistant county and district superintendents, teachers, supervisors, principals, supervising principals and other employees.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1234

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1234, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "Beauty Culture Law," by further regulating the giving of treatments away from beauty culture shops, and by students in beauty culture schools, and permitting educational demonstrations on Sunday.

RESOLUTION RETURNING TO THE GOVERNOR  
HOUSE BILL No. 25 (PRINTER'S No. 27)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 25, (Printer's No. 27), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land buildings and appurtenances located in the Township of Manheim Lancaster County and certain personal property therein and making an appropriation

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR  
HOUSE BILL No. 218 (PRINTER'S No. 188)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 12, 1951.  
Resolved (if the Senate concur), That House Bill No. 218, (Printer's No. 188), entitled:

An Act to further amend section 30 of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "Dog Law of 1921," by increasing the maximum amounts of payments by the State and requiring additional proof of claims in certain cases.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR  
HOUSE BILL No. 356 (PRINTER'S No. 897)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 356, (Printer's No. 897), entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "Municipality Authorities Act of 1945," by extending the provisions thereof to school districts for limited purposes; changing provisions for incorporation, withdrawal from and joinder in authorities, amendments of articles of incorporation, board of Authorities and citizenship of members thereof; and providing for extensions of corporate existence, transfers of existing facilities to Authorities, and conveyances of projects upon termination or assumption of liabilities.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR  
HOUSE BILL No. 826, (PRINTER'S No. 854)

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 826, (Printer's No. 854), entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employees' Retirement Law," by redefining the term "final salary" and further providing the manner of computing employees' annuities.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED BY THE SENATE TO SENATE BILL  
No. 789 AND APPOINTS COMMITTEE OF  
CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth



day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by making special provision for the purchase of coal for use in any State hospital or any other State institution.

and has appointed Messrs. WATKINS, HEWITT and STANK as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

**HOUSE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED BY THE SENATE TO SENATE BILL  
No. 655 AND APPOINTS COMMITTEE OF  
CONFERENCE**

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and person subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and changing procedure on appeals to court.

and has appointed Messrs. FLACK, ROBERTSON and SWOPE as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

**SENATE BILL No. 788 RETUREND WITH  
AMENDMENTS**

He also returned to the Senate, Senate Bill No. 788, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by requiring the establishment of a permanent lot care fund with corporate trustees of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

**HOUSE BILLS FOR CONCURRENCE**

He also presented for concurrence bills of the House, as follows:

House Bill No. 506, entitled:

An Act to amend subsection (b) of section one, and sections two and four of the act, approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401), entitled "An act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by further defining employer, providing for a penalty, and deleting certain provisions relative to wage rates and collection of unpaid wages.

Which was committed to the Committee on Labor and Industry.

**BILL INTRODUCED AND REFERRED**

Mr. WADE on behalf of Mr. HARE read in his place and presented to the Chair Senate Bill No. 935, entitled:

An Act to further amend Section 10 of the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198) entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by further regulating the placing of overburden in the open cut.

Which was committed to the Committee on Mines and Mining.



## SENATE RESOLUTION

JOINT STATE GOVERNMENT COMMISSION TO  
STUDY INSURANCE MATTERS

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, December 13, 1951.

Whereas, There have been charges and allegations of offers of insurance to a legislator to induce him to take a definite position for certain proposed legislation during this session; and

Whereas, Such charges and allegations, whether or not they are substantiated or proved, cast a cloud of suspicion on the honesty and integrity of the Legislature in the performance of its duties; now therefore be it

Resolved (by the Senate), That the Joint State Government Commission is hereby directed to study and survey the practices, procedure and policies of the manner in which insurance and bonding matters, particularly as they affect public agencies and officials, are handled in Pennsylvania and to report on the cost of the premiums thereof in Pennsylvania. As a part of such study it shall compare the Pennsylvania situation with those of other states; and be it further

Resolved, That the Joint State Government Commission shall submit its report on such study to the General Assembly by February 1, 1953, with a recommendation of the most economical method of handling such insurance matters, which method, as well shall be most likely to remove all suspicion on officials handling such insurance and bonding, together with drafts of such corrective legislation as may be necessary.

## REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

SENATE BILL No. 897 MADE A SPECIAL ORDER OF  
BUSINESS, DECEMBER 13, 1951, AT 8:30 O'CLOCK  
P. M., EASTERN STANDARD TIME

Mr. WALKER. Mr. President, I direct the attention of the gentlemen of the Senate to page 13 of today's Second Reading Calendar Senate Bill No. 897, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employes from the civil service provisions of the Philadelphia Home Rule Charter imposing duties upon the Governor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasury shall be determined and providing that this act may be modified

by amendment of the Philadelphia Home Rule Charter except in certain particulars

Mr. .PRESIDENT, I move that Senate Bill No. 897 be made a Special Order of Business by the Senate at 8:30 o'clock, p. m., Eastern Standard Time, December 13, 1951.

Mr. SNOWDEN. Mr. President, I second the motion. The motion was agreed to.

## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## THIRD READING CALENDAR

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 61, on third reading, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 162, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia



go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 283, on third reading, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 284, on third reading, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 286, on third reading, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 370, on third reading, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 455, on third reading, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 465, on third reading, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 552, on third reading, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 554, on third reading, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 560, on third reading, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 811, as follows:

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts



approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 776) and the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1438) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of fifteen thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of eight thousand five hundred ten thousand dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand eight hundred (1800) persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I do not want my remarks to be construed as in opposition to the purpose of this act, but I do want to call attention to the fact that here we are increasing the salary of the Deputy Commissioner of the State Police while out in the field we have hundreds of State Troopers who receive as little as \$240.00 a month. With all the increases that have been given in every other field of governmental service, the State Patrolmen of Pennsylvania are not being paid on a par. I think it is a sad commentary that we vote here today on increasing the salary of the Deputy Commissioner, and although we are probably unanimously in favor of it, I feel that this bill ought to include an increase in the salaries of the State Police themselves.

Mr. President, I do not think that we ought to leave this Session of the Legislature without enacting legislation along those lines, and as far as I am concerned I will not vote for an increase to the Deputy Commissioner unless it has attached to it an agreement or rider that the State Police themselves out in the field will receive a salary increase.

Mr. YOSKO. Mr. President, I just want to add to the remarks of the gentleman from Westmoreland.

Frankly, Mr. President, I do not think legislation is necessary to increase the salary of the Deputy Commissioner. I think that can be done by the head of the department, but there is just one bad feature about a

special act to increase the salary of a deputy. We have deputies in every department, board and commission in the State Government, and if you approve a bill to increase the salary of one deputy, you are going to find every other deputy in the various agencies of the State Government making a similar request and justly so. If they do it for one, there is no reason why it should not be done for the rest of them.

Mr. WALKER. Mr. President, I am very sorry that our distinguished colleague from Armstrong, who is the sponsor of the bill, is not on the floor at the moment. I will, to the best of my somewhat limited ability, try to explain to the gentlemen of the Senate that, as I understand the statute that is now before us for action, Senate Bill No. 811, the salaries of the various members of the Cabinet and their deputies were approved by the General Assembly at a prior date. Inadvertently, the Deputy in the Pennsylvania State Police Department was not included in that, and that is the reason for a separate statute being necessary. It is merely putting this deputy on a par with the other deputies in the other departments.

Mr. President, I agree partially with the statement made by the gentleman from Westmoreland. I am very hopeful that legislation increasing the salaries of the men in the ranks will also be presented to us for action, because I think that is fundamentally necessary. As I understand the modus operandi, to directly answer one of the problems raised by the gentleman from Westmoreland, it would take separate legislation and not an amendment to this particular phase of the code which is before us.

Mr. President, I am very hopeful that the General Assembly will recognize or evidence recognition of the very fine service which has been performed for Pennsylvania and its ten million citizens by this corporation known as the Pennsylvania State Police. However, the two matters are not germane to the same piece of legislation, and that is why they must be considered separately.

Mr. DENT. Mr. President, I may have been a little hasty in my quick perusal of the act. I listened carefully to the gentleman from Allegheny and I examined the record, as it were, and I find that his position is correct. This is a bill which cannot be amended to increase the salaries of the men in the field or the State Patrolmen, and I want to say that it would be unfair for me to mislead any Member of this Senate and have them vote against this particular bill unless they are opposed to the increase, in the hope that by so doing they might be able to increase the salaries of the patrolmen.

Therefore, Mr. President, I will recede from the position which I stated, that I would not vote unless such an amendment were added. I will vote for this bill because I am not opposed to raising the salary of this deputy to a level with all the other deputies in the State. I would say to the Senate that a bill was introduced, and is now in committee, which gives a fifteen per cent cost of living increase to the State Patrolmen of Pennsylvania. If we are sincere and honest, I would suggest that we take a recess in a very short time from now, after we have reached that stage in the Calendar that we can take the time, that the committee holding that bill call a meeting, and let us get that bill on the Calendar and be fair to the men who have to do a great deal of the physical work.

Mr. WALKER. Mr. President, I appreciate very much



what the gentleman from Westmoreland has just said, and I want to assure him that most of us on the floor of the Senate still have a firm, deep appreciation of the sincerity and the honesty of the membership involved. I assure him it is our desire also, as I have said previously, to see to it that the men in the ranks also receive recognition for their meritorious service.

Mr. LANE. Mr. President, I do not want to be misunderstood. I do not oppose this legislation. However, I have noticed that the trend seems to be here that we raise the salaries of those in the higher income bracket, and yet we just toy with the idea of raising the salaries of those that are in the field.

Mr. President, to keep the record straight, I think there have been two bills introduced providing for salary raisers for the rank and file of the Pennsylvania State Police. The other day Senator McMenamin and myself sponsored a bill to that effect, and I say to the Membership of the committee, I think it is in the State Government Committee, that they should give this bill their serious consideration. If they do not want to pass a bill with Democratic sponsors, let the Republican side sponsor the legislation, because what we want to do, and I believe all of us will agree, is preserve the integrity of our Pennsylvania State Police. We want to give them an adequate salary so that they can live decently like the rest of the population of this State. At the present time they are under-paid, they are doing a tremendous job, they are doing a wonderful job, and if we do not pass legislation to help the rank and file, we are certainly derelict in our duty.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane.	Haluska.	McPherson, Jr.	Stiefel.
Barr.	Holland.	Meade.	Taylor.
Barrett.	Kephart.	Neff.	Toole.
Berger.	Kessler.	Pechan.	Wade.
Blass.	Lane.	Peelor.	Wagner.
Byrne.	Leader.	Propert.	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Dent.	Mallery.	Ruth.	Wolfe.
DiSilvestro.	McCreesh.	Silvert.	Wood.
Fleming.	McGinnis.	Snowden.	Yosko.
Freed.	McMenamin.	Stevenson.	Hare.

Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 819, on third reading, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 922, as follows:

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and directed to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren all the right title and interest of the Commonwealth in and to all that certain portion of Second Avenue in the Borough of Warren County of Warren and Commonwealth of Pennsylvania which lies between the eastern boundary line of Water Street and the west bank of Conewango Creek and more particularly described as follows Beginning at the north east intersection of Water Street and Second Avenue thence in an easterly direction along the northerly line of Second Avenue thence in an easterly direction along the southerly line of Out Lot No 25 sixty-nine (69) feet to the low water mark of Conewango Creek thence in a southerly direction and along the low water mark of Conewango Creek sixty-one (61) feet to the southerly line of Second Avenue at a point which is the north east corner of the lands of St Paul's Lutheran Church thence in a westerly direction along the southerly line of Second Avenue and the northerly line of St Paul's Lutheran Church seventy-one (71) feet to the south east intersection of Second Avenue and Water Street thence in a northerly direction and along the easterly line of Water Street sixty (60) feet to the place of beginning

Said tract of land being a portion of a street of the Town of Warren as said town was laid out and surveyed into town lots and streets by Commissioners in compliance with the act approved the eighteenth day of April one thousand seven hundred ninety-five (3 Sm L 233) entitled "An act to provide for laying out and establishing towns and out lots within the several tracts of land heretofore reserved for public uses situated respectively at Presque Isle on Lake Erie at the mouth of French creek at the mouth of Conewango creek and at Fort le Boeuf"

Section 2 The deed of conveyance herein authorized shall be approved by the Department of Justice shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth and shall be made for the consideration of one dollar (\$1.00) which shall be paid into the General Fund of the State Treasury

Section 3 The Burgess and Town Council of the Borough of Warren are hereby authorized to sell and convey to purchasers in fee or otherwise all or any part of the land described in Section 1 of this act

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Barr,	Haluska,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Bale,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 967, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for disability leave with salary and hospital and medical expenses for certain employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (o) of article III of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1308) is hereby further amended by adding after section 306 a new section to read as follows

Section 307 Employes of Jails and Workhouses in Counties of the Second Class guards matrons nurses or any employe who comes in contact with inmates of jails and workhouses in Counties of the Second Class who may be incapacitated as a result of violence on them by an inmate through the performance of their duties shall be paid by the county by which they are employed their full rate of salary as fixed by the salary board of such county until the disability arising therefrom has ceased but the period for such salary payments by the county shall not exceed the period during which such employe is entitled to compensation for the injury received under the provisions of the Workmen's Compensation Act. All medical and hospital bills incurred in connection with any such injuries shall be paid by such county. All benefits under the Workmen's Compensation Law which shall be received or collected by any such employe during the period he has received salary for temporary disability shall be paid over to the county and into the treasury thereof. If any such payment or payments shall not be so made by such employe the amount so directed to be paid the county shall be deducted from any salary which shall then or thereafter become due and owing to such employe.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1065, on third reading, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 1066, on third reading, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1121, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1122, on third reading, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1126, on third reading, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1127, on third reading, entitled:



An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1130, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1138, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1141, on third reading, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1143, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boys' Dormitory

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1144, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefore and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1146, on third reading, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1147, on third reading, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1148, on third reading, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1150, on third reading, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1165, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1178, on third reading, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1188, on third reading, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1217, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1421, as follows:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the



Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The General Appropriation Act" of one thousand nine hundred fifty-one

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-one and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal ending May thirty-first one thousand nine hundred fifty-one

#### 1 Executive Department to the Governor

For the payment of the salary of the Governor and the salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employees for the payment of general expenses supplies printing and equipment and any other expenses whatsoever necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the payment of the cost of auditing the Department of the Auditor General as provided by law for the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the Governor to represent the Commonwealth in any capacity for the expenses incurred in the conduct of the Executive Mansion including the maintenance of employees assigned thereto for the expenses of entertainment of official guests and for the expense incident to the participation of the Governor in the Governor's Conference the sum of six hundred fifty-four thousand dollars (\$654,000)

For the cost of painting a portrait of ex-Governor James H. Duff to be placed in the office of the Governor the sum of seven hundred fifty dollars (\$750)

#### To the Lieutenant Governor

For the payment of the salary of the Lieutenant Governor and for all necessary expenses including postage telegrams telephone toll charges and traveling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges for the Department of Property and Supplies for the use of automobiles for the Lieutenant Governor the sum of forty-seven thousand five hundred dollars (\$47,500)

For the cost of painting a portrait of ex-Lieutenant Governor Daniel B. Strickler to be placed in the office of the Lieutenant Governor the sum of seven hundred fifty dollars (\$750)

#### To the Department of the Auditor General

For the payment of the salary of the Auditor General and the salaries wages and other compensation of a deputy Auditor General and other employees for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishing and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of two million two hundred ninety-five thousand dollars (\$2,295,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars (\$1,000)

For the payment of fees to county officers for furnishing

information to the officers of the Commonwealth as provided by law the sum of four thousand dollars (\$4,000)

For the payment of salaries and expenses of the Board of Arbitration of Claims the sum of seventeen thousand dollars (\$17,000)

#### To the Treasury Department

For the payment of the salary of the State Treasurer and the payment of salaries wages or other compensation of a deputy State Treasurer and other employees for the payment of general expenses for the purchase through the Department of Property and Supplies as agent of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million three hundred fifty thousand dollars (\$1,350,000)

For the payment of salaries or other compensation of a secretary and other employees and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of one hundred thirty-five thousand dollars (\$135,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State College the sum of fifty two thousand forty dollars (\$52,040)

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for service rendered in connection with the registration transfer and payment of interest on World War I Veterans' Compensation Bonds Public Buildings Construction Bonds and for World War II Veterans' Compensation Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of one hundred eight thousand six hundred ninety-four dollars (\$108,694)

For the payment of legal fees publication of advertisements cost of engraving and any other expenses incurred in the issuing of tax anticipation notes the sum of fifty thousand dollars (\$50,000)

For the payment of the expenses of publishing statements of the General Fund and other funds of the Commonwealth the sum of twenty thousand dollars (\$20,000)

For the payment of the cost of printing or engraving of bonds required by the Loan and Transfer Agent in making exchanges as requested by bondholders the sum of five hundred dollars (\$500)

For refunding the balances due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars (\$1,000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled canceled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars (\$2,500)

For refunding transfer inheritance taxes on estates of resident decedent paid in error or overpaid the sum of two hundred fifty thousand dollars (\$250,000)

For refunding transfer inheritance taxes on estates of nonresident decedents paid in error or overpaid the sum of ten thousand dollars (\$10,000)

For refunding moneys paid by any person to any professional examining board or advisory committee or to the Department of Public Instruction on behalf of any such board or advisory committee the sum of five thousand dollars (\$5,000)

For refunding fees paid for notary public commissions when such commissions have not been issued or if is-



sued have not been received and have been canceled the sum of four thousand dollars (\$4,000)

For refunding moneys which were paid into the State Treasury through escheat proceedings or without escheat either voluntary or by order of court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of two hundred twenty-five thousand dollars (\$225,000)

For the purpose of refunding moneys other than taxes paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropriation the sum of fifteen thousand dollars (\$15,000)

For the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital institution for the feeble-minded in part supported by the Commonwealth the sum of fifty thousand dollars (\$50,000)

For the purpose of refunding fees paid in connection with renewal applications for registration under The Securities Act which have been canceled before January first of the year for which the fees were paid the sum of five hundred dollars (\$500)

For the purpose of refunding collections by the Department of Public Assistance the sum of twenty-five thousand dollars (\$25,000)

For the payment of approved claims for refund of cigarette tax permit fees and cigarette tax stamps the sum of five hundred dollars (\$500)

For refunding liquid fuels tax erroneously paid or overpaid into the General Fund the sum of two thousand dollars (\$2,000)

For the payment of approved claims for refunds of fines collected under the provisions of the Motor Vehicle Code the sum of two thousand five hundred dollars (\$2,500)

For the refund of moneys collected under the provisions of the "State Personal Property Tax Act" the sum of one thousand dollars (\$1,000)

For the payment into the World War I Veterans' Compensation Sinking Fund to meet the interest and sinking fund requirements of the bonds issued under authority of the act approved the fifth day of January one thousand nine hundred thirty-four (one thousand nine hundred thirty-three and one thousand nine hundred thirty-four P. L. 219) the sum of five million forty-eight thousand nine hundred forty-two dollars fifty cents (\$5,048,942.50) according to the following schedule

Date of Payment	Principal	Interest	Total
September 1 1951 ..	.....	\$162,500.00	\$162,500.00
November 1 1951 ...	.....	60,000.00	60,000.00
March 1 1952 .....	\$1,237,253.21	162,500.00	1,399,753.21
May 1 1952 .....	912,843.04	60,000.00	972,843.04
September 1 1952 ..	.....	121,875.00	121,875.00
November 1 1952 ...	.....	30,000.00	30,000.00
March 1 1953 .....	1,237,253.21	121,875.00	1,359,128.21
May 1 1953 .....	912,843.04	30,000.00	942,843.04
Totals .....	\$4,300,192.50	\$748,750.00	\$5,048,942.50

For payment into the Public Buildings Construction Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the provisions of article nine section twenty-one of the Constitution of Pennsylvania as authorized by the 1947 Session of the General Assembly the sum of four million three hundred sixty-one thousand two hundred sixty dollars (\$4,361,260) according to the following schedule

Date of Payment	Principal	Interest	Total
October 1 1951 .....	\$750,000.00	\$344,000.00	\$1,094,000.00

April 1 1952 .....	750,000.00	343,500.00	1,093,500.00
October 1 1952 .....	750,000.00	344,000.00	1,094,000.00
April 1 1953 .....	750,000.00	329,760.00	1,079,760.00
Totals .....	\$3,000,000.00	\$1,361,260.00	\$4,361,260.00

For the payment into the World War II Veterans' Compensation Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the authority of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) the sum of sixty million seven hundred thirty thousand dollars (\$60,730,000) according to the following schedule

Date of Payment	Principal	Interest	Total
August 15 1951 ..	.....	\$471,250.00	\$471,250.00
March 1 1952 ....	\$27,000,000.00	96,250.00	27,096,250.00
August 15 1952 ..	.....	471,250.00	471,250.00
September 1 1952 ..	.....	2,610,000.00	2,610,000.00
February 15 1953 ..	.....	471,250.00	471,250.00
March 1 1953 ....	27,000,000.00	2,610,000.00	29,610,000.00
Totals .....	\$54,000,000.00	\$6,730,000.00	\$60,730,000.00

#### To the Department of Agriculture

For the payment of the salary of the Secretary of Agriculture and the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides fungicides and other materials for control and eradication of plant pests and diseases for payment of necessary expenses including vaccination of animals and for work of testing of animals to prevent spreading of dangerous contagious and infectious diseases and the purchase of necessary supplies for conducting such work for the payment of any loss or damage by dogs to livestock domestic game birds and poultry as provided by law for the payment of expenses of the State Farm Show Commission and the Pennsylvania Official Egg Laying Contest The State Soil Conservation Commission in carrying out the provisions of the soil conservation district law and for the payment of the expenses of the department in the operation of diagnostic laboratories for the control and eradication of livestock and poultry diseases the sum of four million three hundred sixteen thousand dollars (\$4,316,000)

For the payment of indemnities for animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law for the purchase of materials and for the payment of salaries wages and the necessary expenses including vaccination of animals for control of dangerous contagious and infectious diseases the sum of two million dollars (\$2,000,000)

For the payment of the expenses of the department in conducting research and diagnostic work to find measures for control prevention and curing of diseases of livestock and poultry and the operation of diagnostic laboratories the sum of seventy-five thousand dollars (\$75,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of livestock livestock products horticultural products handiwork cereals bees and bee products as provided by law Provided That such associations file such reports as may be required by the Secretary of Agriculture the sum of one hundred thousand dollars (\$100,000)

#### To the Department of Banking

For the payment of salaries wages or other compensation of the members of the Securities Commission and employes and for the payment of general expenses supplies printing and equipment necessary for the administration and enforcement of the Securities Act the sum of one hundred eighty-six thousand dollars (\$186,000)

#### To the Department of Commerce

For the payment of the salary of the Secretary of Commerce and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the



work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of one million two hundred thirty-two thousand dollars (\$1,232,000)

For the payment of salaries wages or other compensation of a secretary and employees for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Planning Board the sum of two hundred fifty-six thousand five hundred dollars (\$256,500)

#### To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests and Waters and for the payment of the salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park State Parks Commission and Regional State Park Boards for emergency control and extinction of forest fires for maintenance of the State-Federal Flood Warning System for the purchase of telephone equipment and the cost of telephone rentals at towers park and forest field offices ranger stations and other necessary locations for the erection and repairs of buildings for the development of natural resources on lands owned by the department for the payment of royalties on gas oil or other minerals the sum of five million nine hundred fifty-five thousand five hundred dollars (\$5,955,500)

For stream clearance and conservation and flood control including stream channel improvement construction of dams and protective works for flood control purposes improvement and development of State parks rehabilitation and maintenance of the Delaware Division of the Pennsylvania Canal study of water resources the sum of two million three hundred fifty thousand dollars (\$2,350,000)

For the payment of necessary expenses incurred for the maintenance of the Schuylkill River desilting project and preventing future silting of the Schuylkill River the sum of one million sixty-five thousand dollars (\$1,065,000)

For the payment of expenses incurred for the extinction and control of forest fires the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred eighty thousand dollars (\$180,000)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies and equipment necessary for the proper conduct of the Valley Forge Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing and photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of two hundred thirty-one thousand two hundred dollars (\$231,200)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct

of the work of the Pennsylvania State Park and Harbor Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of jetties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred forty-two thousand dollars (\$142,000)

For the payment of necessary expenses incurred for the rehabilitation prevention of erosion and protection of Presque Isle Peninsula the sum of five hundred thousand dollars (\$500,000)

For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxiliary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of three hundred ninety-four thousand dollars (\$394,000)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of sixteen thousand dollars (\$16,000)

For the payment of the salaries or other compensation of a secretary and such other employees including among others captains pilots engineers harbor masters firemen deckhands watchman laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of one hundred one thousand five hundred dollars (\$101,500)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Bushy Run Battlefield Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials photography distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of twenty-one thousand dollars (\$21,000)

#### To the Department of Health

For the payment of the salary of the Secretary of Health and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of seven million one hundred eighty-four thousand dollars (\$7,184,000) any portion of these funds may be used to carry out the provisions of the local health administration law with respect to state grants to County Departments of Health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting cancer research the study of facilities and the dissemination of information as to diagnosis and treatment of cancer the sum of two hundred fifty-four thousand dollars (\$254,000) any portion of these funds may be used to carry out the provisions of the local health administration law with respect to state grants to county departments of health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting prevention care diagnosis and treatment of



rheumatic fever and rheumatic heart disease the sum of two hundred forty-six thousand dollars (\$246,000). Any portion of these funds may be used to carry out the provisions of the local health administration law with respect to state grants to county departments of health and to cities eligible for such grants

For the payment of salaries wages or other compensation of superintendents and other employees for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and live stock for the payment to fire companies of costs of fighting fires upon approval of the institutional and the department for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs crutches the sum of twelve million two hundred thirty-eight thousand dollars (\$12,238,000) any portion of these funds may be used to carry out the provisions of the local health administration law with respect to state grants to county departments of health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of six million four hundred forty-six thousand dollars (\$6,446,000)

#### To the Insurance Department

For the payment of the salary of the Insurance Commissioner and for the payment of salaries wages or other compensation of a deputy commissioner and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies and for the payment of the liquidation and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash assets are insufficient to pay such expenses the sum of one million four hundred forty-five thousand dollars (\$1,445,000)

And in addition all sums received from the assets of companies in liquidation by way of reimbursement for expenditures previously made from this appropriation shall be paid into the General Fund and credited to the appropriation made by this paragraph

#### To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs and for the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of one million three hundred thirty-two thousand dollars (\$1,332,000)

#### To the Department of Justice

For the payment of the salary of the Attorney General and for the payment of salaries wages or other compensation of deputy attorneys general special deputy attorneys general assistant deputy attorneys general special attorneys law clerks and other employees for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the

law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform State Laws for the audit and investigation of claims and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of one million four hundred seventy-two thousand dollars (\$1,472,000)

#### To the Department of Labor and Industry

For the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of four million five hundred seventy-five thousand dollars (\$4,575,000)

For use by the State Board of Vocational Rehabilitation in purchasing artificial appliances for and payment of the maintenance cost of physically handicapped persons in training including the deaf and hard-of-hearing and in paying all other expenses necessary in carrying out the provisions of the Rehabilitation Act the sum of one million eight hundred thousand dollars (\$1,800,000)

#### To the Department of Military Affairs

For the payment of the salary of the Adjutant General and for the payment of salaries wages or other compensation of the deputies adjutant-general the Division Commander and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal for the payment of expenses incurred in maintaining monuments in Europe erected at the expense of the Commonwealth and for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap for the purpose of placing at the disposal of the Governor and making the same available for replacement or repairs of such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the equipment and maintenance of the Pennsylvania Guard in the event of the Pennsylvania National Guard being called into active service of the United States for the payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania



National Guard or the Pennsylvania Guard as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscription to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard in either State or Federal service and the Pennsylvania Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard or the Pennsylvania Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of four million six hundred eighty-nine thousand dollars (\$4,689,000)

Provided however That there is hereby appropriated for the same purposes the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania Guard in furnishing relief from disaster and all receipts from the Federal Government or other public or private sources for or in connection with services performed by employes of the Department of Military Affairs or for or in connection with the use of property under the control of said department which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the State of Pennsylvania be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania Guard

For the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies printing and equipment for improvements to land for repairs alterations and improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of four hundred twenty-five thousand dollars (\$425,000) and in addition to said amount all moneys collected by the institution or by the Commonwealth from the Federal Government in payment of support or training of members of Federal military establishments at the institution shall be paid into the General Fund and shall be credited to the appropriation made by this paragraph

For the payment of any and all expenses incident to furnishing men material supplies and equipment when a disaster occurs the sum of five hundred thousand dollars (\$500,000)

#### To the Department of Mines

For the payment of the salary of the Secretary of Mines and for the payment of salaries wages or other compensation of a deputy secretary the mine inspectors and other employes and for the payment of general expenses including examination costs supplies printing and equip-

ment necessary for the proper conduct of the work of the department and the nine inspectors the sum of one million two hundred twenty-six thousand dollars \$1,226,000)

For the payment of all expenses of the department in administering and enforcing the "Bituminous Coal Open Pit Mining Conservation Act" of the 1945 Session of the General Assembly the sum of one hundred thousand dollars (\$100,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the administration of the Act of May 29 1945 (P. L. 1132) relating to the health and safety of miners the sum of ninety-seven thousand dollars (\$97,000)

#### To the Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposal when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of four million seven hundred ninety-three thousand dollars (\$4,793,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or offices or other quarters used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board

For the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans of the World War American Veterans of the World War II (AMVETS) Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Incorporated and the Marine Corps League as provided by law the sum of forty-six thousand dollars (\$46,000)

For the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of eighty-eight thousand dollars (\$88,000)

For the purchase of fuel water gas steam and electric current and necessary devices for its reception and use for alterations materials supplies repairs equipment renovations and improvements to for or on the State Capitol buildings the public grounds and buildings connected with the State Capitol the Publications Building the Executive Mansion the State Arsenal the Cameron Street Office Building the State Warehouse and any buildings lands or structures within the City of Harrisburg donated or devised to the Commonwealth but not including the Liquor Control Board Office Building in Harrisburg for the salaries of employes and other expenses of maintaining the Cameron Street Office Building State Warehouse the Brookwood Terminal Building and for the payment of rents fuel water gas steam electric current and any necessary alterations for any buildings offices or storage space in the City of Harrisburg required for the accommodation of departments supported from the General Fund the sum of two million six hundred thirty-nine thousand dollars



(\$2,639,000) Provided That occupancy of the Cameron Street Office Building or the State Warehouse by agencies or functions of Government supported by other than appropriations from the General Fund shall be charged for at rates approved by the Executive Board And that space in the State Warehouse not in use by the Commonwealth may be rented to the Public at such rates as the Department of Property and Supplies may determine All funds collected by the Department under this proviso shall be paid into the State Treasury and credited to the appropriation made by this paragraph and shall be appropriated for the same purposes

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State Government except those required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Pennsylvania State Police the Board of Fish Commissioners the Pennsylvania Game Commission the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Commission and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Department of Highways and stored at the garage maintained by the Department of Property and Supplies in the City of Harrisburg and for the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or other officer of the State Government the sum of eight hundred seventy-five thousand dollars (\$875,000)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the cost of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of one million two hundred thousand dollars (\$1,200,000)

For payment of the expenses necessary to rehabilitate the water lines piping and sewer connections in Capitol Park Extension related to the widening of Forster Street the sum of one hundred thousand dollars (\$100,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in the inspection of construction projects of the General State Authority the sum of four hundred thousand dollars (\$400,000)

#### To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance and for the payment of the salaries wages or other compensation of a deputy secretary and other employees for payment to the State Civil Service Commission for services rendered for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of one million four hundred fourteen thousand five hundred dollars (\$1,414,500)

#### To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other

employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of one million four hundred six thousand five hundred dollars (\$1,406,500)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library the sum of three hundred ninety thousand five hundred dollars (\$390,500)

For the payment of salaries wages or other compensation of a deputy member and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to pre-professional professional education and licensure and the professional examining boards and advisory committees within the department the sum of nine hundred eighty-one thousand dollars (\$981,000)

Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committee within the department

For the payment of salaries wages or other compensation of members and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of two hundred two thousand six hundred dollars (\$202,600)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Department in advising and coordinating the work of the Pennsylvania Federation of Junior Historians in the secondary schools of the Commonwealth the sum of seventeen thousand two hundred dollars (\$17,200)

For the payment of salaries wages and other compensation of members and other employees for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the Department of Public Instruction with respect to the conduct of examinations for the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of seventy-nine thousand dollars (\$79,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of twenty-six thousand two hundred dollars (\$26,200)

For the payment of salaries wages general expenses supplies printing and equipment necessary for work of the department with respect to the acquisition of Federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred fifty-seven thousand three hundred dollars (\$157,300)

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering cost of acquisition and handling shall be paid into the General Fund and credited to this appropriation and available for the purposes for which this appropriation has been made

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department and the State Board for Vocational Education in licensing and regulating private schools private trade schools business schools and correspondence schools and classes the sum of two hundred twelve thousand dollars (\$212,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of forty thousand dollars (\$40,000)



For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing farm and home safety education through the schools and farm and home organizations in the Commonwealth the sum of twenty-six thousand three hundred dollars (\$26,300)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in accrediting facilities for the training of veterans the sum of one hundred fifty seven thousand five hundred dollars (\$157,500)

Provided That \$80,000 of the appropriation made by this paragraph shall be used by the department as working capital only and shall lapse at the end of the biennium in the full amount In addition all moneys collected from the Federal Government shall be credited to the appropriation made by this paragraph

For the payment of salaries wages printing supplies and general expenses necessary to carry out the provisions of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" the sum of twenty thousand dollars (\$20,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Public School Employees Retirement Board the sum of four hundred sixty-two thousand dollars (\$462,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges as may be authorized and approved by the Superintendent of Public Instruction the sum of eleven million six hundred thousand dollars (\$11,600,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges for the same purpose each college to receive from such appropriation the exact amount which was collected at said college during the said fiscal years

For the payment of salaries wages or other compensation of superintendent and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania .....	(\$316,500)
Scotland School for Veterans' Children at Scotland Pennsylvania .....	(\$881,000)
Thaddeus Stevens Trade School at Lancaster Pennsylvania .....	(\$618,000)

and in addition to said amount all income and all moneys collected at the Thaddeus Stevens Trade School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph

For the payment of salaries of the County Superintend-

ents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two million two hundred thirty-nine thousand dollars (\$2,239,000)

For the payment of expenses of County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two hundred seventy-four thousand four hundred dollars (\$274,400)

For the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of fifty two thousand eight hundred dollars (\$52,800)

For reimbursement to school districts for transportation of school children as required by law the sum of twenty million five hundred thousand dollars (\$20,500,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses supplies printing and equipment of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of two million eight hundred sixty-five thousand dollars (\$2,865,000) and be it provided that as much of this appropriation as can be made available may be expended with the Governor's approval in paying the cost of vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in carrying out the School Lunch Program the sum of one hundred forty-nine thousand dollars (\$149,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning is provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of four hundred, fifty thousand dollars (\$450,000)

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of two hundred fifty million dollars (\$250,000,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payments of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or



over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf or cerebral palsied under the supervision of or approved by the department in accordance with law and for readers helpers guides aids and appliances for such children in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction the sum of three million two hundred seventy-five thousand dollars (\$3,275,000)

For the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the public service institute including the firemen's training school at Lewistown the sum of one hundred twenty-four thousand dollars (\$124,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary to make a survey of public school plant facilities in the Commonwealth the sum of sixty thousand dollars (\$60,000) in addition all moneys received from the Federal Government under Public Law 815 of the 81st Congress for this purpose shall be credited to the appropriation made by this paragraph

For the payment into the School Employees' Retirement Fund to the credit of the Contingent Reserve Account of the School Employees' Retirement Fund as required by law the sum of eighteen million four hundred three thousand eight hundred forty-six dollars (\$18,403,846)

For the payment into the School Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employees' Retirement Fund as required by law the sum of fifteen million seven hundred thirty-one thousand one hundred forty-one dollars (\$15,731,141)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of three hundred ten thousand dollars (\$310,000)

For the payment of increased retirement allowances to employes on retirement as of September 1 1949 the sum of three million dollars (\$3,000,000)

#### To the Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission and for the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of three million six hundred forty-nine thousand dollars (\$3,649,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railways corporations cross public highways other than those State highways designed as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of thirty-five thousand dollars (\$35,000)

#### To the Department of Revenue

For the payment of the salary of the Secretary of Revenue and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of costs in suits for the payment of cost of filing liens for the purchase of

tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of five million eight hundred thirty-four thousand dollars (\$5,834,000)

Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

For the payment of the compensation of informants in escheats and the fees and expenses of escheators the sum of three hundred sixty-five thousand dollars (\$365,000)

For the payment of salaries of the members of the State Athletic Commission for the payment of salaries wages or other compensation of a secretary and deputies and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as approved by the Secretary of Revenue the sum of one hundred sixty-five thousand dollars (\$165,000)

For the payment of salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statisticians clerks stenographers and other assistants and employes and for cost witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garrett Deceased the sum of twenty-four thousand dollars (\$24,000)

#### To the Department of State

For the payment of the salary of the Secretary of the Commonwealth and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of five hundred seventy-six thousand dollars (\$576,000)

For the payment of salaries wages and compensation of employes for the payment of general expenses supplies printing equipment and other expenses for the proper conduct of the work of the department necessary for and incidental to taking the vote of qualified electors of the Commonwealth who are entitled to vote by "Official Military Ballot" and for reimbursement by the Commonwealth of cities of the first class and counties for expenses incurred by cities of the first class and counties in connection therewith the sum of three hundred eighty-three thousand dollars (\$383,000)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonwealth of Pennsylvania the sum of fifty thousand dollars (\$50,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the State Employees' Retirement Board the sum of two hundred fifty-five thousand five hundred dollars (\$255,500) and in addition to the said amount any moneys collected from a public corporation or similar agency in payment of the proportionate share of administering the State Employees' Retirement Fund on behalf of the employes of such public corporation or similar agency whose employes are entitled by law to be members of the State Employees' Retirement System shall be paid into the General Fund and credited to this appropriation.

For the payment of the cost and expenses incident to the work of setting up the Municipal Employees' Retirement System the sum of twenty thousand dollars (\$20,000)

For the payment into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million six hundred nineteen thousand one hundred sixty dollars (\$1,619,160)

For the payment into the State Employees' Retirement Fund to the credit of the Contingent Reserve Account the sum of three million four hundred fifty-nine thousand forty-seven dollars (\$3,459,047)



For the payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania State Police Retirement System the sum of fifty thousand dollars (\$50,000)

For the payment into the State Employees' Retirement Fund to the credit of the Members' Annuity Reserve account and other accounts the sum of one million six hundred twenty-two thousand eight hundred dollars (\$1,622,800)

For the payment of State employees who have retired in accordance with the provisions of the act of Assembly approved June fourteenth one thousand nine hundred fifteen (P. L. 973) as amended and for the payment of pensions and gratuities granted by law the sum of four thousand eight hundred forty dollars (\$4,840)

#### To the Pennsylvania State Police

For the payment of the salaries wages or other compensation and necessary traveling expenses of the Commissioner and deputy commissioner of the Pennsylvania State Police the members of the State Police force and other employees of the Pennsylvania State Police for the purchase of motor equipment for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for the payment of the board lodging subsistence allowances uniforms arms and equipment of the Pennsylvania State Police force and for the payment of the proper medical surgical and hospital expenses incurred as a direct result of illness contracted or injuries received by members of the Pennsylvania State Police in the course of employment and not covered by insurance for the payment of premiums on policies insuring the Commonwealth against workmen's compensation liability to all employees or dependents of employees of the Pennsylvania State Police for the payment of premiums on policies of insurance covering motor vehicles operated by the Pennsylvania State Police and surety bonds for employees of the Pennsylvania State Police required to furnish such bonds for the payment with the Attorney General's approval of damages sustained by persons whose property has been damaged or destroyed by members of the Pennsylvania State Police in the discharge of their duties for the operation and maintenance of the Pennsylvania State Police Training School including any branches thereof for the maintenance and repair of barracks owned by the Pennsylvania State Police and equipment therein for the payment of traveling expenses and witness fees in the amount of three dollars (\$3) per capita per diem to witnesses testifying for the Commonwealth at hearings in connection with the work of the Pennsylvania State Police and for the payment of fees charged by physicians for examining persons suspects of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five dollars (\$5) shall be paid to any physician for any such examination for the maintenance and operating of a radio broadcasting station or stations and for the purpose of installing operating and maintaining a teletype or other inter-communication system linking the central office of the Pennsylvania State Police and the offices of the various organized police forces of the political subdivisions of the Commonwealth maintaining night offices and liking such central office with other states using similar systems which cooperate with Pennsylvania in broadcasting police information the sum of six million three hundred thirty thousand dollars (\$6,330,000) and any additional sums from time to time transferred from the Motor License Fund and credited to this appropriation in the manner provided by law

#### To the Department of Welfare

For the payment of salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the

department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of one million one hundred twenty-two thousand dollars (\$1,122,000)

For the payment of salaries wages or other compensation of employees and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind for improvement of the condition of the blind by supplying where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial and for medical treatment surgical operations eye glasses and other necessary aids or services including transportation for needy blind persons or persons with impaired vision and for meeting any additional expenses necessary the sum of four hundred thirty-five thousand dollars (\$435,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind in supplying to the adult blind vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers in providing for their employment and placement in industry business and the professions in obtaining the required medical service for such training and placement and in meeting expenses necessary and proper in the administration of this program the sum of two hundred thirty-three thousand three hundred dollars (\$233,300) and in addition to this amount received from the United States Government or from and other source as contributions for this program shall be paid into the General Fund and credited to this appropriation

For the payment of salaries wages or other compensation of the superintendents or wardens and other employees for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishing and live stock for expenses of boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses for the payment to fire companies of cost of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Institution for Defective Delinquents at Huntington the Pennsylvania Training School at Morgantown the State Industrial Home for Women at Muncy the Pennsylvania Industrial School at White Hill the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of sixteen million one hundred sixty-three thousand dollars (\$16,163,000)

For the payment of salaries wages or other compensation of the superintendents and other employees for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville



State Hospital at Wernersville the Western State Psychiatric Institute and Clinic at Pittsburgh the Eastern State Psychiatric Institute at Philadelphia the Embreeville State Hospital at Embreeville the Hollidayburg State Hospital at Hollidaysburg the Mayview State Hospital at Mayview the Somerset State Hospital at Somerset the Woodville State Hospital at Woodville the Clarks Summit State Hospital at Clarks Summit the Retreat State Hospital at Retreat the Dixmont State Hospital at Dixmont and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their state of residence persons committed to State mental institutions who may hold residence in other states for the purchase from publicly or privately operated nonsectarian hospitals at cost not exceeding five dollars and fifty cents (\$5.50) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to one thousand five hundred dollars (\$1,500) per bed provided for the payment of the necessary expenses of boarding out mental patients in accordance with Act 257 approved July 12 1935 (P. L. 679) and for the establishment and maintenance of psychiatric clinics under the regulations of the department the sum of sixty-nine million eight hundred forty thousand dollars (\$69,840,000) and in addition to this amount the following shall be paid into the General Fund and credited to the proper allocation within this appropriation (1) all money received from the United States Government or from any other source as contributions toward the establishment and maintenance of psychiatric clinics and (2) all moneys received from political subdivisions in payment for service and facilities required to be furnished by the State-Owned Mental Hospitals to institutions operated by such political subdivisions

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the maintenance of patients in private institutions at such rates as are established by the Department of Welfare and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defective and epileptics as authorized and approved by the Secretary of Welfare the sum of thirteen million five hundred forty-five thousand dollars (\$13,545,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of ten million forty-five thousand dollars (\$10,045,000)

#### To the Milk Control Commission

For the payment into the Milk Control Fund in the State Treasury for the purposes for which such fund is appropriated by law the sum of five hundred four thousand seven hundred fifty dollars (\$504,750)

#### To the State Civil Service Commission

For the payment of salaries wages or other compensation of the commissioners a personnel director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of one hundred thousand dollars (\$100,000) and in addition any money collected by the Commission by way of reimbursement under the provisions of the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation Provided That the specific appropriation of \$100,000 made by this paragraph shall be used by the Commission as working capital only and shall lapse at the end of the biennium in the full amount

#### To the Pennsylvania Board of Parole

For the payment of salaries of members of the Board and salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Board the sum of one million five hundred ninety-five thousand dollars (\$1,595,000)

#### To the State Tax Equalization Board

For the payment of salaries of members of the Board and salaries wages or other compensation of employes for payments to county commissioners under the provision of Section Nine of Act 447 approved June 27 1947 (P. L. 1046) and for the payment of the costs of supplies equipment and all other expenses necessary for the proper conduct of the work of the Board the sum of four hundred fifty thousand dollars (\$450,000)

#### To the Commission on Interstate Cooperation

For the payment of wages and other compensation of employes for the payment of expenses of member in attending conferences when designated by the Governor the President pro tempore of the Senate or the Speaker of the House of Representatives and for the payment of the general expenses necessary for the proper conduct of the work of the Commission on Interstate Cooperation the sum of twenty-five thousand dollars (\$25,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

#### To the Interstate Commission on the Delaware River Basin

For the payment of wages and other compensation of employes for the payment of general expense necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission on Interstate Cooperation the sum of fifty thousand dollars (\$50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

#### Atlantic States Marine Fisheries Commission

For the support of the Atlantic States Marine Fisheries Commission created by the act of June 1 1943 (P. L. 798) the sum of one thousand two hundred dollar (\$1,200) Requisitions shall be prepared and signed by the Commissioner of Fisheries

#### Ohio River Valley Water Sanitation Commission

For the support of the Ohio River Valley Water Sanitation Commission created by the act of April 2 1945 (P. L. 50) the sum of thirty-one thousand seven hundred dollars (\$31,700) Requisition shall be prepared and signed by the Secretary of Health



## Interstate Oil Compact Commission

For the support of the Interstate Oil Compact Commission created by the act of July 23 1941 (P. L. 432) and for the payment of expenses of the Governor or his delegate in representing Pennsylvania the sum of five thousand dollars (\$5,000) Requisitions shall be signed by the Governor

## Interstate Commission on the Potomac River Basin

For the support of the Interstate Commission on the Potomac River Basin created by the act of May 29 1945 (P. L. 1139) the sum of four thousand eight hundred dollars (\$4,800) Requisitions shall be prepared and signed by the Secretary of Commerce

## To the Council of State Governments

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau established by it to co-ordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matters the sum of sixty thousand dollars (\$60,000)

One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installment on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Executive Director of the Council of State Governments who shall file an accounting of said expenses with the Auditor General

## Pennsylvania Historical and Museum Commission

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Pennsylvania Historical and Museum Commission including historical research preparation erection and maintenance of historical markers maintenance and development of historical monuments and sites the sum of seven hundred six thousand five hundred dollars (\$706,500)

## II Legislative Department

For the payment of the expenses of the Legislative Department for two years beginning June first one thousand nine hundred fifty-one and also for the expenses of the Session and recess of one thousand nine hundred fifty-one not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the Members of the Senate and House of Representatives of the Legislative Session of one thousand nine hundred fifty-three shall be paid by requisition of the Chief Clerk of the Senate or the Chief Clerk of the House of Representatives upon the Auditor General only after statements of the amounts due the several Senators and Members shall have been certified to the respective Chief Clerks by the President pro tempore of the Senate or Speaker of the House of Representatives and that the Senators and Members receiving fixed salaries for said Session shall be paid one-fifth of his total salary each month for the first four months of the Session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto

All compensation payable to officers and employees under the provisions of this act shall be payable semi-monthly on the fifteenth day and the last day of each month on requisition of the Chief Clerk of the Senate or of the House of Representatives as the case may be pursuant to certification of the officer under whose direction and control the officer or employee shall be

## To the Senate

For the payment of the salaries of fifty Senators and extra compensation allowed by law to the President pro tempore of the Senate Session of one thousand nine hundred fifty-three the sum of two hundred fifteen thousand dollars (\$215,000)

For the payment of the expenses of Senators and extra compensation and expenses of chairmen of committees as

provided by law the sum of one hundred eighty thousand dollars (\$180,000)

For the payment of the mileage of fifty Senators Session of one thousand nine hundred fifty-three the sum of eighteen thousand dollars (\$18,000)

For the payment of postage Session of one thousand nine hundred fifty-three for the Chief Clerk and assistants the sum of one hundred fifty dollars (\$150)

For the payment of postage Session of one thousand nine hundred fifty-three for the Lieutenant Governor the sum of one hundred fifty dollars (\$150)

To the Chief Clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars Session of one thousand nine hundred fifty-three the sum of four thousand five hundred dollars (\$4,500)

For the payment of the salaries of the officers and employees of the Senate Session of one thousand nine hundred fifty-three also for the payment of the Session and recess salaries of all officers and employees whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and Session salaries of the officers and employees of the Senate whose present salaries are provided for in this section the sum of one hundred ninety-five thousand dollars (\$195,000) for the two years beginning June first one thousand nine hundred fifty-one

For the payment of the mileage of the officers and employees of the Senate Session of one thousand nine hundred fifty-three the sum of two thousand seven hundred dollars (\$2,700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the Session of one thousand nine hundred fifty-three the sum of eight thousand dollars (\$8,000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the Session of one thousand nine hundred fifty-three the sum of two thousand dollars (\$2,000)

For the payment of the salary of the two Clerks to the President of the Senate for two years beginning June first one thousand nine hundred fifty-one the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of eighteen thousand dollars (\$18,000)

For the payment of the salary of the Chief Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Secretary to the President pro tempore of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Librarian of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of thirteen thousand dollars (\$13,000)

For the payment of the salary of the Assistant to the Secretary of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand five hundred dollars (\$4,500)

For the payment of the salary of the secretary to the President of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Library Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Majority Floor Leader of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Minority Floor Leader of the Senate for the two years beginning June first one thousand nine hundred fifty-one



as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Senate Librarian for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salaries of two Watchmen of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of nine thousand six hundred dollars (\$9,600)

For the payment of the salary of the Superintendent of the Storeroom of the Senate for two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Chief Custodian of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Custodian of the Basement of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salaries of Custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of thirteen thousand eight hundred dollars (\$13,800)

For the payment of the salary of the Messenger in the Senate Library for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand two hundred (\$4,200)

For the payment of the salary of a Janitor for the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of three thousand nine hundred sixty dollars (\$3,960)

For the payment of the salary of one Senate Indexing Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salary of one Chief Compiling Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of eight thousand four hundred dollars (\$8,400)

For the payment of the salary of one Messenger to the Secretary of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of one Stenographer to the Chief Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salary of one Chief Sergeant at Arms for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of one Chief Mailing Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of one Clerk to the President Pro Tempore for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate Session of one thousand nine hundred fifty-one the sum of two thousand five hundred dollars (\$2,500)

For the payment of the expenses of the Committee on Appropriations of the Senate during the biennium June first one thousand nine hundred fifty-one and ending May thirty-first one thousand nine hundred thirty-three in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing requests of the same and of the various departments boards and commissions of the Common-

wealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during Legislative Sessions and during the interim between Legislative Sessions the sum of thirty-five thousand dollars (\$35,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same Of the sum herein appropriated not more than twenty-five thousand dollars (\$25,000) shall be expended prior to the beginning of the regular session of the General Assembly of one thousand nine hundred fifty-three If the term of office of the Chairman of the Committee on Appropriation shall terminate prior to the regular session of 1953 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of expenses incident to issuing certificate of election of Senators for the Session of one thousand nine hundred fifty-three the sum of seventy-five dollars (\$75) (Act of June fourteenth one thousand nine hundred eleven P. L. 926)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate during the recess ending the first Tuesday of January one thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000) or as much thereof as may be necessary and for like expenses for the Session of one thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000)

For the payment of the necessary expenses including extra labor in the office of the Chief Clerk for the year ending May thirty-first one thousand nine hundred fifty-two the sum of seven thousand dollars (\$7,000) and for six months ending November thirtieth one thousand nine hundred fifty-two the sum of four thousand dollars (\$4,000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred fifty-two and the entire period of the Session of one thousand nine hundred fifty-three should the same extend beyond May thirty-first such sum as may be necessary to be expended by the Chief Clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said Chief Clerk shall at no time have in his hands more than two thousand dollars (\$2,000) for which accounts have not been rendered and settled and the whole amount expended by said Chief Clerk shall not exceed the sum of thirteen thousand dollars (\$13,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and Chief Clerk

For the payment of the postage labor and incidental expenses in the office of the Secretary of the Senate for the year beginning June first one thousand nine hundred fifty-one the sum of five thousand dollars (\$5,000) and for the year beginning June first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000)

For the payment of postage labor express charges and all other expenses in the office of the Librarian of the Senate for the year beginning June first one thousand nine hundred fifty-one the sum of two thousand eight hundred dollars (\$2,800) and for the year beginning June first one thousand nine hundred fifty-two the sum of two thousand eight hundred dollars (\$2,800)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the Senate during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the contingent expenses including extra services of employees of the Senate and clerical stenographic traveling and discretionary charges of the



Majority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the Minority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of seven hundred fifty dollars (\$750) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the Senate during the recess ending December first one thousand nine hundred fifty-two the sum of two thousand dollars (\$2,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

To the Secretary of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto to senators officers of the Senate or State officials during the two years beginning June first one thousand nine hundred fifty-one the sum of one thousand dollars (\$1,000)

#### To the House of Representatives

For the payment of the salaries of two hundred and eight Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House of Representatives Session one thousand nine hundred fifty-three the sum of one million forty-one thousand dollars (\$1,041,000)

For the payment of expenses of Members of the House of Representatives and extra compensation and expenses of chairmen of committees as provided by law the sum of seven hundred forty-eight thousand eight hundred dollars (\$748,800)

For the payment of the mileage of two hundred and eight Members of the House of Representatives Session of one thousand nine hundred fifty-three the sum of eighty-five thousand dollars (\$85,000)

For the payment of postage session of one thousand nine hundred fifty-three to the Chief Clerk and assistants the sum of one hundred fifty dollars (\$150)

To the Chief Clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars Session of one thousand nine hundred fifty-three the sum of twelve thousand five hundred dollars (\$12,500)

For the payment of salaries of the officers and employes of the House Representatives Session of one thousand nine hundred fifty-three also for the payment of the Session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and Session salaries of all the officers and employes of the House of Representatives whose present salaries are provided for in this section the sum of two hundred thirty-seven thousand dollars (\$237,000) for the two years beginning June first one thousand nine hundred fifty-one

For the payment of the mileage of the officers and employes of the House of Representatives Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the Session of one thousand nine hundred fifty-three the sum of thirteen thousand dollars (\$13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the Session of one thousand nine hundred fifty-three the sum of three thousand dollars (\$3,000)

For the payment of the salary of the Chief Clerk of the House of Representatives for the two years beginning

June first one thousand nine hundred fifty-one the sum of eighteen thousand dollars (\$18,000)

For the payment of the salary of the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Assistant to the Chief Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of ten thousand dollars (\$10,000)

For the payment of the salary of the Stenographer to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Secretary to the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Messenger to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of the Secretary to the Majority Floor Leader of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Minority Floor Leader of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Administrative Assistant to the Speaker for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Clerk to the Speaker for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Superintendent of Storerooms of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of nine thousand six hundred dollars (\$9,600)

For the payment of the salary of the Secretary to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Chief Custodian of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand eight hundred dollars (\$4,800)

For the payment of the salaries of the four Custodians of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seventeen thousand six hundred dollars (\$17,600)

For the payment of the salary of the Clerk to the Secretary for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Secretary to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the Amendment Clerk of the House of Representatives for the years beginning



June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Supply Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of the Compiling Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of nine thousand dollars (\$9,000)

For the payment of the salary of the Finance Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of eight thousand dollars (\$8,000)

For the payment of the salary of the Library Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand four hundred dollars (\$6,400)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) or as much thereof as may be necessary and for like expenses for the Session of one thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000)

For the payment of necessary expenses including extra labor in the office of the Chief Clerk and Library for the year beginning June first one thousand nine hundred fifty-one the sum of nineteen thousand dollars (\$19,000) and for the six months beginning June first one thousand nine hundred fifty-two the sum of nine thousand one hundred dollars (\$9,100)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred fifty-two and for the entire period of the Session of one thousand nine hundred fifty-three should the same extend beyond May thirty-first to be expended by the Chief Clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts The whole amount thus expended by the Chief Clerk shall not exceed the sum of twenty-six thousand dollars (\$26,000)

To the Chief Clerk of the House of Representatives for the payment of extra services in connection with the compilation of the history of legislation in the House of Representatives Session of one thousand nine hundred fifty-one the sum of two thousand five hundred dollars (\$2,500)

For the payment of the expenses of the Committee on Appropriations of the House of Representatives during the biennium beginning June first one thousand nine hundred fifty-one in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriation and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the House of Representatives during Legislative Sessions and during the interim between Legislative Sessions the sum of thirty-five thousand dollars (\$35,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same of the sum herein appropriated not more than twenty-five thousand dollars (\$25,000) shall be expended prior to the beginning of the regular Session of the General Assembly of nineteen hundred fifty-three The chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the Payment of the postage clerical stenographic and express charges and all other expenses in the office

of the Secretary of the House of Representatives for the year beginning June first one thousand nine hundred fifty-one the sum of five thousand five hundred dollars (\$5,500) and for the year beginning June first one thousand nine hundred fifty-two the sum of five thousand five hundred dollars (\$5,500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of two thousand five hundred dollars (\$2,500) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Majority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Minority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of seven hundred fifty dollars (\$750) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of the expenses incident to issuing certificates of election to Members of the House of Representatives for the Session of one thousand nine hundred and fifty-three (Act of June fourteenth one thousand nine hundred eleven P. L. 926) the sum of seven hundred fifty dollars (\$750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the Chief Clerk of the House of Representatives for the payment of the expenses of the House of Representatives or committee of the House of Representatives in attending funerals or expenses incident thereto of Members of the House of Representatives officers of the House of Representatives or State officials during the two years beginning June first one thousand nine hundred fifty-one the sum of three thousand dollars (\$3,000)

#### Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

For the work of the Legislative Journal officials after the close of the Session of one thousand nine hundred fifty-one on the Legislative Journal also the proofreading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars (\$4,500)

#### Legislative Miscellaneous

For the payment of traveling and other expenses of the Members of the General Assembly of Pennsylvania appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives in attending the meetings of the American Legislators' Association and the Council of State Governments the sum of two thousand five hundred dollars (\$2,500) to be paid on warrants of the Auditor General in favor of the President pro tempore of the Senate or the Speaker of the House of Representatives on presentation of his requisition for the same The President pro tempore or the



Speaker shall file an accounting of said expenses with the Auditor General

For the payment of premiums on surety bonds for chairman and officers of the Senate and House of Representatives to be paid by Chief Clerks of each House for the two years beginning June first one thousand nine hundred fifty-one the sum of eight hundred dollars (\$800)

#### The Electoral College

For the payment of the expense of the Electoral College of one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) to be paid on requisition of the Auditor General

#### To the Legislative Reference Bureau

For the payment of the salaries and other compensation of the director assistant director librarian attorneys-at-law clerks secretaries stenographers typists messengers and other employes permanently employed for the two fiscal years beginning June first one thousand nine hundred fifty-one and for those temporarily employed until the end of the Session of the General Assembly of one thousand nine hundred fifty-three and for maintenance law books reference material incidental equipment and supplies traveling expenses and incidental expenses the sum of one hundred seventy thousand dollars (\$170,000)

#### III Judicial Department

For the payment of the salaries of the Judges of the Supreme Court and Superior Court the salaries and mileage of the president and Other Law Judges of the several Courts of Common Pleas in the Commonwealth and the Judges of the several Orphans' Courts and for the compensation of Common Pleas Judges holding court in other districts and for the payment of salaries and mileage of Associate Judges the following sums or as much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred fifty-one payments to be made monthly by warrant drawn by the Auditor General on the State Treasury

##### Supreme Court

For the payment of the salaries of the Supreme Court Judges the sum of three hundred twenty-three thousand dollars (\$323,000)

For the payment of the salaries or compensation of the briefers investigators stenographers typists and clerks and to reimburse the Judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars (\$56,000)

For the payment of salaries wages and other compensation of a Deputy Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Eastern district and employes in the library of the Supreme Court at Philadelphia for the purchase of stationery supplies and the payment of the necessary expenses of the Supreme Court for the Eastern district thereof for the purchase of books and necessary expenses of the library of the Supreme Court at Philadelphia the sum of seventy-four thousand nine hundred fifty dollars (\$74,950)

For the payment of salaries wages and other compensation of a Deputy Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Western district thereof for the purchase of stationery supplies books for the library and other necessary expenses of the Supreme Court Western district the sum of forty-four thousand dollars (\$44,000)

For the payment of salaries wages or other compensation of the Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Middle district and for the payment of expenses for the Supreme Court in the Middle district and the Superior Court at Harrisburg the sum of seventeen thousand one hundred dollars (\$17,100)

For the payment of the salary and expenses of the chief tipstaves official stenographers court officers and law secretary of the Chief Justice of the Eastern Middle and Western districts and for premiums for workmen's com-

pensation insurance covering all employes of the Supreme Court the sum of one hundred fifty thousand dollars (\$150,000)

Provided That the crier for the Middle district shall receive no other compensation from the State

For the payment of the fees of the Prothonotaries of the Supreme Court of the Eastern Middle and Western districts on assignment of Judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred nineteen the sum of five thousand five hundred dollars (\$5,500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of ten thousand dollars (\$10,000)

For the payment of the expenses of the Procedural Rules Committee appointed by the Supreme Court to assist it in the preparation revision promulgation publication and administration of general rules of practice for the courts of this Commonwealth the sum of twenty-five thousand dollars (\$25,000)

For the payment of the cost of painting a portrait of Chief Justice George W. Maxey the sum of seven hundred fifty dollars (\$750)

For the payment of the salaries and expenses of the State Board of Law Examiners the sum of sixty thousand dollars (\$60,000)

For the payment of the salaries and expenses of the office of the State Reporter the sum of fifty-four thousand six hundred forty dollars (\$54,640)

In the case of necessary expenses stationery supplies and books for the Eastern Western and Middle districts herein provided for the same shall be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the Prothonotary of the said Supreme Court for the particular district thereof

##### Superior Court

For the payment of the salaries of the Judges of the Superior Court the sum of two hundred ninety-five thousand dollars (\$295,000)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typists of the Superior Court and to reimburse the Judges of the said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars (\$49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court and for premiums for workmen's compensation insurance covering all employes of the Superior Court the sum of one hundred two thousand six hundred dollars (\$102,000)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court or its officers the sum of fifteen thousand dollars (\$15,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the Prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

##### Common Pleas Court

For the payment of the salaries of the Judges of the Courts of Common Pleas learned in the law in the several Judicial districts of the Commonwealth the sum of three million seven hundred fifty-five thousand dollars (\$3,755,000)

For the payment of the compensation carfare and expenses of Judges for holding court outside of their own Judicial districts in accordance with law the sum of seventy-five thousand dollars (\$75,000)

For the payment of mileage allowed Common Pleas Judges in Judicial districts containing more than one county as provided by law the sum of five thousand dollars (\$5,000)

For the payment of the Judges of the Courts of Common Pleas of Dauphin County for clerk hire in accordance with the law and for premiums for workmen's com-



pensation insurance covering such clerks the sum of fifty thousand dollars (\$50,000)

#### Orphans' Court

For the payment of the salaries of the Orphans' Court Judges in the several Judicial districts in which separate Orphans' Courts have been established by law the sum of seven hundred twenty-five thousand dollars (\$725,000)

#### Municipal Court of Philadelphia

For the payment of the salaries of the Judges of the Municipal Court of Philadelphia in accordance with law the sum of two hundred sixty-five thousand dollars (\$265,000)

#### County Court of Allegheny County

For the payment of the salaries of the Judges of the County Court for County of Allegheny the sum of one hundred forty-five thousand dollars (\$145,000)

#### To the Juvenile Court of Allegheny County

For the payment of the salary of the Judges of the Juvenile Court of the County of Allegheny the sum of twenty-four thousand dollars (\$24,000)

#### Retired Judges

For the payment of the salaries of the Judges of the Supreme Superior Common Pleas and Orphans' Courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred nineteen (P. L. 461) the sum of eighty-one thousand dollars (\$81,000)

#### Associate Judges

For the payment of the salaries of the Associate Judges the sum of ninety thousand dollars (\$90,000)

For the payment to Associate Judges of mileage for the two fiscal years beginning June first one thousand nine hundred fifty-one the sum of seven thousand dollars (\$7,000)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior Session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with sections 604 605 and 606 of The Administrative Code

Section 5 The term "employees" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board or commission

Section 6 The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipments and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Disilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1422, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1423, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 1468, as follows:

An Act to add section 10.1 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of



service for certain former employees of the public school system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after section 10 thereof a new section to read as follows

#### Credit for School Service

Section 10.1 The board shall credit every State employee with a "year of service" for all the purposes of this act for each year for which he was an employee under the public school system of this Commonwealth including State Teachers' Colleges and the Pennsylvania State College made contributions and for which contributions were made by the State and school district to the public school employees' retirement fund and for which he has not heretofore been credited under this act when there is furnished to the board satisfactory proof of the contributions and when there is paid into the fund in instalments or a lump sum an amount equalling such contributions made by him plus any accrued interest and when the Public School Employees' Retirement Board transfers to the fund an amount equalling the contributions made by the State and school district to his account during such school service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Tcole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,	Stevenson,	Hare,

Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1469, as follows:

An Act to add section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Com-

monwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board of the State Employees' Retirement Board and Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after section 12.1 thereof which was added by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1365) a new section to read as follows

Information and payments on Account of Certain Former Employees

Section 12.2 (a) On the written application of any person who is a former employee under the public school system of this Commonwealth including State Teachers' Colleges and the Pennsylvania State College and who is a member of the State Employees' Retirement System but has no credit for his years of such school service under the State Employees' Retirement System the board shall promptly furnish the State Employees' Retirement Board with a statement showing the number of years for which he made contributions and for which contributions were made by the State and school district to the fund and the total amount of such contributions plus accrued interest at the time of his withdrawal

(b) Whenever the board has proof of such contributions the board shall furnish the State Employees' Retirement Board with proof thereof and shall transfer to the State Employees' Retirement Fund from the fund an amount equalling the contributions made by the State and school district to his account during such year of service and the amount if any of accumulated deductions plus accrued interest left by such person in the fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1488, on third reading, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1494, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1679, as follows:

An Act to further amend the last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive

and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1349) is hereby further amended to read as follows

#### Section 507 Purchases

\* \* \* \* \*

Notwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) [Contract for services of the public utility companies] Contract for utility services furnished by public utility companies political subdivisions and authorities

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### SECOND READING CALENDAR

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 871, on second reading, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts

go over in its order temporarily.

I call the attention of the gentlemen of the Senate to the fact that I am putting it over temporarily so that, if possible, we may get to it today.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bill's to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1662, on second reading, entitled:

An Act authorizing the issue and sale of bonds by the

Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1707, on second reading, entitled:

An Act to further amend section seven of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing building structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### FIRST READING CALENDAR

#### BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 640, entitled:

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 893, entitled:

An Act requiring one-half of the funds derived by cities of the second class from rentals or charges imposed upon consumers for water services to be used solely for construction reconstruction maintenance improvement and repair of such water works and for payment of obligations incurred for such purposes and prohibiting transfers of such funds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 894, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first class and second classes to levy assess and collect or to



provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 927, entitled:

An Act relating to and regulating the contracts of incorporated towns and providing penalties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office in-

validating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds"

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1139, entitled:

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the time and increasing the fee for annual registration of osteopaths

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1497, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No. 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes and adding and changing penalties and providing for commitment of mentally ill persons to Veterans Administration or other agency of the United States

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1638, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from



taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

COMMUNICATION IN RE. SENATE  
RESOLUTION SERIAL No. 99

The CHAIR cleared his table and laid before the Senate the following communication from the Office of the Actuary, Department of State, State Employees' Retirement Board, dated December 3, 1951, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
STATE EMPLOYEES' RETIREMENT BOARD  
HARRISBURG

Office of the Actuary

December 3, 1951

Honorable Lloyd H. Wood, Lieutenant Governor  
President of the Senate of the Commonwealth  
of Pennsylvania  
Harrisburg, Pennsylvania

Dear Sir:

My attention has been called to the Senate Resolution designated as Serial No. 99, adopted September 26, 1951 as it appears on page 232 of the History of Senate Bills and Resolutions for October 1, 1951. This resolution reads as follows:

"Whereas, A group of Senate Bills Nos. 854 to 862, (Printer's Nos. 592 to 600), appear on the Senate Calendar for action, and the Members of the Senate desire more complete information as to the effect on the various Retirement Funds.

Whereas, It would be unwise to pass upon this group of bills without full knowledge of the facts pertinent to their effect on the affected retirement funds, particularly with respect to the resultant additional costs to the State system; now therefore be it

Resolved, (by the Senate), That the actuary for the State Employees' Retirement System shall study Senate Bills Nos. 854 to 862 (Printer's Nos. 592 to 600), with a view to presenting to the Senate a concise statement of the effect of each and all of such bills, if enacted into law, upon various Employees' Retirement Systems with especial emphasis upon the added financial burden thereto; and be it further

Resolved, That such report shall be presented to the Senate not later than December 10, 1951."

In compliance with this resolution I have studied Senate Bills No. 854 to No. 862 (Printer's Nos. 592 to 600) and submit the following statement to your honorable body:

The purpose of these bills is to correct a situation which exists under the several public employees' retirement sys-

tems which have been established and are being administered throughout the Commonwealth. This situation often results to the disadvantage of employees in public service who transfer from State service to that of a political subdivision of the Commonwealth (referred to hereafter as municipality,) or who transfer from municipal service to State service.

For example, Senate Bill No. 855 amends the act under which cities of the second class are providing pensions for their employees so that it would be possible for the pension board of such a city to give every covered city employee credit for each year of service rendered by such employee as a State employee for which credit had not previously been allowed. The bill also amends the State Employees' Retirement Act so that conversely the State Employees' Retirement Board could give credit under the State system to a former city employee for such years of service as were rendered to the city for which credit had not already been allowed.

In order to secure credit for this service, the employee of the city must have made contributions to the State Employees' Retirement Fund during his previous State service for which credit is sought, and there must be paid into the city pension fund in instalments or in a lump sum an amount equalling his contributions to the State Employees' Retirement Fund plus any accrued interest. The State Board is required to transfer to the city pension fund an amount equalling the contributions made by the State to the account of the member during such State service.

The converse of the above is provided under the bill; namely, that an employee of the State who is a member of the State Employees' Retirement System, in order to get credit under the State system for former city service must make written application for such credit to the State Employees' Retirement Board, with the city Board of Pensions certifying the number of years for which he made contributions and for which contributions were made by the city to the city's pension fund and the total amount of such contributions plus accrued interest at the time of his withdrawal.

In addition to the above, the Board of Pensions of the city is to transfer to the State Employees' Retirement Fund, an amount equalling the contributions made by the city to the account of the member during such years of service and the amount, if any, of accumulated deductions, plus accrued interest, left by such employee in the fund.

I do not know why the bill differentiates between the basis of payments by the employee member of the State Employees' Retirement Fund to the city pension fund and the basis of the transfers from the city fund to the State fund. It is to be noted, however, that section 11.1 provides that the State Employees' Retirement Board is to transfer to the city pension fund an amount equalling the contributions made by the State to the Fund on account of the member but that the amount paid in by the member during his service to the State plus any accrued interest is to be paid in a lump sum or in instalments presumably by the employee. On the other hand, the Board of Pensions of the city is to transfer an amount equivalent to the city's contribution on account of the member and the amount, if any, of the accumulated deductions plus accrued interest left in the fund by the member.

In view of the fact that some of these employees may have drawn out some or all of their accumulated contributions when they left city service, the transfer to the State Employees' Retirement Fund from the city fund would be short by such amount. On the other hand, the payment to the city fund is the full amount of the contributions of the member with the accrued interest, whether or not the full contributions of the member remained in the State fund.

Senate Bill No. 854 is similar to No. 855 in its provisions but relates to the employees of counties of the Second Class.

Senate Bill No. 856 is similar in its provisions to No.



855 but relates to the employees of counties of the Third Class.

Senate Bill No. 857 is similar in its provisions to No. 855 but relates to employees of counties of the Fifth, Sixth, Seventh and Eighth Classes.

Senate Bill No. 858 is similar in its provisions to No. 855 but relates to employees of counties of the Fourth Class.

Senate Bill No. 860 is similar in its provisions to No. 855 but relates to employees of cities of the Third Class.

Senate Bill No. 862 is similar in its provisions to No. 855 but relates to employees of cities of the First Class.

Senate Bill No. 859 amends the State Employees' Retirement Act so that the Retirement Board could give credit to a State employee, who is a member of the State system, for years of service as an employee of a municipality and conversely credit could be given by a municipality for State service, if the provisions are complied with as to the proper certification of service years and the transfer of employer contributions and the payment of employee contributions with accrued interest. This bill is in conflict with the provisions of the other bills in that it completely reverses the provisions relating to the payments of employee contributions, since it requires the payment of the full employee contributions and the accrued interest into the State fund in the case of a former employee of a municipality and only the balance, if any, left by the employee paid into the municipal pension fund by a former State employee.

Senate Bill No. 861 is similar in its provisions to No. 855 but relates to transfers between the State Employees' Retirement Fund and the Municipal Employees' Retirement Fund related to employees who had served in municipalities before entering State service or in State service before entering the service of a municipality.

The provisions of the several acts governing retirement systems for employees of the State; the cities of various classes; the counties of various classes, as well as members of the several police forces vary so greatly in their provisions as to contributions and the amounts and kinds of benefits that it is difficult to see how equitable results could accrue from the provisions of these bills. The contributions to one pension fund related to the service of a covered employee may well be wholly inadequate to cover the cost of the benefits accruing to such member in the retirement system under which he is now covered. This is particularly true as to employees who are now in State service but with the records of previous service to the municipalities. For instance the pension credit for a year of service under the State system is more liberal than in the case of some of the county systems. Consequently, if a State employee is to get credit for years of service to such a county, the amount of the contributions transferred by the county system would be wholly inadequate and therefore a financial load would be thrust on the State to make up the difference.

The same would be true in transfers from the Municipal Employees' Retirement Fund to the State Employees' Retirement Fund, for the reason that the pension credit under the State system is greater per year of service than under the Municipal Employees' Retirement System and the superannuation retirement age under the State system is five years earlier, sixty as against sixty-five which adds materially to the cost.

It would appear to me that there are other serious defects in this legislation. For example, I have in mind the case of a man who served many years under a county system and has retired under the provisions of the act governing that system and is enjoying a superannuation retirement allowance. He is now engaged in State service. Could he receive credit from the State for the service to the county and retain his county superannuation retirement allowance?

Again, since the transfer of an individual appears to be optional with the individual and not obligatory each one can choose the course deemed to be most advantageous to him and therefore most costly to the system to which the transfer is made.

In this legislation no distinction is made between employees of a retirement system as to whether they are original members or new members of the retirement system in which they are carrying membership or from which they have transferred.

Furthermore, when reference is made to the transfer of contributions of the employer no distinction is made between contributions related to the current service of new members or original members and to the past service of original members. For example, in the counties of the Third to the Sixth classes contributions are made each year to cover the cost of county pension credits related to current years of service. But additional contributions are made to cover the cost of pension credits related to past service and here the county assumes the employee share as well as the county share of such past service pension credits all to be financed over a period of years not to exceed fifteen. Some of the counties are well on towards funding these past service credits; that is, ten or more years, while others have only just started and only a small portion of their past service cost is funded. Are these past service contributions to be transferred as well as those related to current or future service regardless of the extent to which the costs have been completely funded or whether the employee gets double or single pension credit under the system to which he has transferred?

#### Conclusions

Regardless of the merit of the intent of these bills, I submit the following:

1. The bills do not take into account the wide variations in the required contributions of the employees and their employer organizations nor the conditions under which benefits are payable and the amounts of such benefits.

2. Because of item (1), where credit is given for years of service in a prior system, to a member now covered under a more liberal system, the cost to the latter system would be much greater than the contributions transferred from the prior system thereby creating an additional financial obligation.

3. Because the State system is more liberal in its provisions than many other systems in the State including the Municipal Employees' Retirement Fund, any credits allowed by the State for service to a political subdivision would impose obligations on the State which might well require substantial appropriations by succeeding General Assemblies.

4. To ascertain with any degree of accuracy the potential financial load on the State, if these bills were enacted into law, a canvass would have to be made of all State employees to determine what previous service each one had that would be covered under any one of these bills and also whether the employee would avail himself of the privilege if granted, and then have calculations made as to the excess cost of financing these pension credits over the amounts expected to be transferred from the prior fund.

5. A similar excess cost would be imposed upon any municipal retirement fund that gave pension credits for the additional service greater in value than those provided for through the transferred contributions to the former fund.

6. To ascertain the additional financial obligations under item (5) would require canvasses similar to those outlined in item (4).

7. The State may well be discriminated against in the payments by the members as noted in this memorandum and there are conflicting provisions as to the amounts of such payments required of the members.

8. No distinction is made in these bills between memberships classed as original or new in either the original retirement system or the one to which a transfer has been made; or to the differences between benefits related to prior or current service or the contributions which may have been made which were related to past or current service of either system involved. This is important in that



there are wide variations in the amount of funding which has been done in the various systems.

9. Some of the retirement systems are so financed that employer contributions are made in amounts sufficient only to meet current pension payments and they might well take the position that they had no contributions related to active members to transfer thus involving loss to the retirement system in which service credit had been obtained.

10. It would seem to be much more equitable to make provision so that the superannuation retirement equities which had accrued to a member in a given retirement system would remain to his credit when transferring to another retirement system, provided the transferee left his entire accumulated contributions in the system in which he formerly carried membership. Such equities are commonly referred to as deferred annuity credits. The ultimate retirement allowances would thus come to the retired employee from the two or more sources.

11. Steps should be taken to harmonize in every way possible the contributions required and the benefits provided in the various retirement systems in existence throughout the Commonwealth.

Respectfully submitted,  
GEORGE A. HUGGINS, Actuary  
State Employees' Retirement System

GAH:hsw

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 13, 1951.

Mr. MEADE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 13, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Mrs. Irene Cobb, Pittsburgh, 417 Grant St.

#### FAYETTE COUNTY

C. E. McAninch, South Union Twp., Uniontown.

#### NORTHAMPTON COUNTY

Miss Mary G. Cappadona, Easton.

#### PHILADELPHIA COUNTY

Miss Betty Hackstie, 7135 Frankford Ave.

George T. Kenney, 2741 E. Ontario St.

Miss Elizabeth Scheppman, 1925 S. 65th St.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. MEADE That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer:

### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

### MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 13, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Pennsylvania Training School at Morganza:

Ernie Adamson, Mt. Lebanon, Allegheny County, from August 19, 1949, for the term of four years, and until his successor is qualified.

D. S. Pollock, Canonsburg, Washington County, for the term of four years, and until his successor is qualified. (Reappointment)

Hon. S. John Morrow, Uniontown, Fayette County, for the term of four years, and until his successor is qualified. (Reappointment)

Mrs. Mary Jane Myers, Trinity Cathedral, 323 Oliver Street, Pittsburgh, Allegheny County, for the term of four years, and until her successor is qualified, to fill a vacancy.

Dr. P. L. Prattis, 1311 Grotto Street, Pittsburgh, Allegheny County, for the term of four years, and until his successor is qualified, to fill a vacancy.

Donald S. Steinfirst, 1463 Beechwood Boulevard, Pittsburgh, Allegheny County, for the term of four years, and until his successor is qualified, to fill a vacancy.

JOHN S. FINE.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### BILL SIGNED

The President pro tempore (M. Harvey Taylor) an-



nounced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Education.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### REPORTS FROM COMMITTEES

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Education, reported as committed, Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts.

He also, from the Committee on Education, reported as committed, House Bill No. 1381, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Private Trade Schools and prescribing penalties" by further defining "agent" prohibiting agents from representing more than one school clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Local Government.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### REPORTS FROM COMMITTEES

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Local Government, reported as amended, Senate Bill No. 889, entitled:

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employees.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1206, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by further defining "final salary" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases.

Mr. ROBINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. ROBINSON, from the Committee on Agriculture, reported as amended, House Bill No. 1646, entitled:

An Act to add subsection (4) to section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure.

### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RETURNING TO THE GOVERNOR, SENATE BILL NO. 668, PRINTER'S NO. 357

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg, December 13, 1951

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed Senate Concurrent Resolution returning to the Governor, without amendment, Senate Bill No. 668, Printer's No 357.

JOHN S. FINE

### HOUSE MESSAGES

#### HOUSE INSISTS UPON IT NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 862 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the powers and duties of such police.

and has appointed Messrs. SOLLENBERGER, McCULLOUGH and POLEN as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

The PRESIDING OFFICER. The message will be laid on the table.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1641 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

and has appointed Messrs. MAZZA, JOHNSON and POLEN as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

The PRESIDING OFFICER. The message will be laid on the table.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL NO. 796 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption; prescribing penalties; and authorizing the courts of common pleas to enjoin violations.

and has appointed Messrs. SMITH, ROYER and READINGER as a Committee of Conference to confer with a similar committee of the Senate (already appointed)

to consider the differences existing between the two houses in relation to said bill.

### SENATE BILL NO. 925 CALLED UP

Mr. WALKER. Mr. President, I call the attention of the gentlemen of the Senate to page 13 of the Second Reading Calendar. Senate Bill No. 925 passed second reading and the gentleman from Philadelphia, Mr. Kephart, has amendments to place in the bill, therefore Mr. President, I desire to call the bill up for reconsideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### RECONSIDERATION OF SENATE BILL NO. 925

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 925, passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. WOOD. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WOOD. Mr. President, I voted with the majority.

The motion was agreed to.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 1 (Sec. 501), page 3, line 13, by inserting after the word "county" the following "or any group of contiguous counties." Amend Sec. 1 (Sec. 501), page 4, line 5, by inserting after the word "Revenue" the following "Where the license covers a group of counties, it may be issued by the county treasurer of any of the counties constituting the group, and shall be valid in all of such counties." Amend Sec. 1 (Sec. 501), page 4, line 18, by inserting after the word "county" the following "or in any group of counties;" Amend Sec. 1 (Sec. 501), page 5, line 1, by inserting after the word "county" the following "or group of counties;" Amend Sec. 1 (Sec. 501), page 6, line 1, by inserting after the word "county" the following "or of any county in the group of counties."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KEPHART offered the following amendment:



Amend Title, page 1, last line of Title, by inserting after the word "only" the following "and authorizing licenses and tags for groups of counties."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 862 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

and move that the Senate insist on its amendments non-concurred in by the House and that a committee of conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 862

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WAGNER, LETZLER and LANE, as committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 862.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE BILL No. 1641 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

and move that the Senate insist on its amendments non-concurred in by the House and that a committee of conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1641

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WAGNER, LETZLER and LANE as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1641.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 8 o'clock p. m., Eastern Standard Time.

Mr. FREED. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### REPORTS FROM COMMITTEES

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY, from the Committee on State Government, reported as committed, Senate Bill No. 928, entitled:

An Act to further amend Section 205 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by fixing the compensation of members of the State Police Force.

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 896, entitled:

An Act to confer jurisdiction in habeas corpus upon the several courts of quarter sessions of this Commonwealth and upon the judges thereof.

He also, from the Committee on Judiciary General, re-reported as committed, House Bill No. 1330, entitled:

An Act to quiet title to real estate and to facilitate the the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed certain mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature or become due and payable and decrees or defects of record arise occur exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrances or to enforce any right arising out of such a defect in title unless an action

is instituted to enforce such charges mortgages and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act

### MOTION TO READ BILLS THE FIRST TIME

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. ROSENFELD. Mr. President, I object to the reading of all bills for the first time.

The PRESIDING OFFICER. The bills will appear on the Calendar.

### REPORT FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as amended, Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

#### MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 13, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Mayview State Hospital, for the term of four years, and until their successors are qualified:

Mrs. Mary Phillips Henry, Pittsburgh, Allegheny County, from January 6, 1950.

Mrs. Josephine S. Falk, Pittsburgh, Allegheny County, from April 17, 1950.

Albert G. Kaufmann, Brentwood, Allegheny County. (Reappointment)

Ralph W. Peacock, Esq., Washington, Washington County. (Reappointment)

Hugh L. Davis, 129 Sycamore Street, Pittsburgh 11, Allegheny County, to fill a vacancy.

Dr. Daniel I. Jamison, Jr., Shadyside Hospital, Pittsburgh, Allegheny County, to fill a vacancy.

Thomas M. Reese, Canonsburg, Washington County, to fill a vacancy.

JOHN S. FINE.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 13, 1951.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 13, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

R. G. De Filippo, Pittsburgh, 6335 Glenview Place.  
Ben Finkelhor, Pittsburgh, 550 Grant St.  
Raymond M. Hall, Pittsburgh, 7642 Frankstown Ave.  
Mrs. Mary Ann Jones, Wilksburg.

#### BERKS COUNTY

Rudolph K. Ziegler, Bethel Twp., Bethel.

#### ERIE COUNTY

S. Thaddeus Kwiat, Erie.

#### MONTGOMERY COUNTY

Joseph B. Allen, Jr., Lower Merion Twp., Haverford.  
Mrs. Edna L. Bowman, Lower Merion Twp., Bryn Mawr.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. BLASS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.



**SPECIAL ORDER OF BUSINESS ON SENATE BILL NO. 897, DECEMBER 13, 1951, AT 8:30 O'CLOCK P. M., EASTERN STANDARD TIME**

The PRESIDING OFFICER. The hour of 8:30 p. m., Eastern Standard Time, December 13, having arrived, the Senate will be in order. The Special Order of Business set for this hour is Senate Bill No. 897, Printer's No. 675, on the Second Reading Calendar, page 13. The Chair calls up the bill pursuant to the motion.

**BILL ON SECOND READING**

**AMENDMENTS OFFERED**

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 897, entitled:

An Act to implement Article fourteen, section eight of the Constitution of Pennsylvania; providing for the election or appointment, compensation, terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia; abolishing other such former County officers, boards, and commissions and distributing their former duties; specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter, and upon what conditions; exempting certain officers and employes from the civil service provisions of the Philadelphia Home Rule Charter; imposing additional duties upon the Governor of the Commonwealth and upon the judges of the Courts of Common Pleas, the Judges of the Orphans' Court, the Prothonotary, the Board of Registration Commissioners, and certain City officers, departments, boards and commissions, and certain City officers, departments, boards and commissions of Philadelphia; specifying how the number, qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasurer, shall be determined; and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. ROSENFELD. Mr. President, I suppose it is common knowledge by now that we on this side of the house who have fought both within Philadelphia and outside of Philadelphia for decent government in the city of Philadelphia—

**POINT OF ORDER**

Mr. KEPHART. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Kephart, will state his point of order.

Mr. KEPHART. Mr. President, the only thing in order now is the offering of amendments to Section 1 and not discussion of the bill.

The PRESIDING OFFICER. The point of order of the gentleman from Philadelphia, Senator Kephart, is well taken.

Mr. ROSENFELD. Mr. President, I am preliminarily discussing the merits of Section 1, and in order to do so, and before offering my amendments, I want to give the Senate the benefit of the background behind the whole bill.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. ROSENFELD. Mr. President, I am about to offer amendments to Section 1 of Senate Bill No. 897, Printer's No. 675, and before doing so, for whatever it may be worth, I would like to point out to the Members of the Senate, and particularly to the Members of the Senate on the other side of the aisle, that the passage of this bill will be a deathblow to the hopes and the desires of the majority of the two million people of the city of Philadelphia. I would like to repeat and remind the Members of the Senate that for a period of almost twenty-eight years hundreds of groups in the city and thousands upon thousands of people have been working diligently to make Philadelphia the kind of a city we know it can be.

Mr. President, way back in 1923, the people of this Commonwealth, recognizing the problem of the cities of our State, adopted a constitutional amendment which would permit home rule by any of the cities of this Commonwealth. It took twenty-six years of effort, and God knows how many years of work, to reach the point where this Legislature would agree to permit the city of Philadelphia to have home rule and adopt its own charter. During all those many years, these groups and these people realized that Philadelphia had a problem which was peculiar to Philadelphia itself as compared to any of the other political subdivisions in the entire State. The city of Philadelphia and the county of Philadelphia were one and the same. There were no boroughs, there were no townships. The citizens of the city of Philadelphia, all of the citizens of the city of Philadelphia, were citizens of the county of Philadelphia. All of the residents of the city of Philadelphia were residents of the county of Philadelphia. Unfortunately, this dual kind of government, one of which partially stemmed from Harrisburg and the other of which stemmed from Harrisburg altogether, made it very difficult for the kind of centralized control which any city should have in an effort to run it economically, efficiently and decently. The city itself existed on the basis of a charter which was a legislative mandate, the last one of which took place in 1919, and the city council in the city of Philadelphia could operate only in accordance with the powers granted to it by that charter. The city council of the city and the people of the city were subject to those changes which this Legislature would decide to enact everytime it met in amending that very same charter.

Mr. President, all of the decent citizens of the city of Philadelphia, and all the civic-minded groups in the city of Philadelphia, and all the press in the city of Philadelphia and everybody but the Republican organization of the city of Philadelphia, recognized this problem. Unfortunately, nothing could be done because this Legislature, Republican dominated as it was in every Session, took its dictation from the leaders of the Republican Party in the city of Philadelphia. As a result, it was bad for its citizens, for its residents, for its business. This developed to a point, as I know and you gentlemen know, where it became commonly known as the "Philadelphia Story," and I have watched many of my colleagues on the other side of this aisle over the years sneer, and rightfully so, every time the "Philadelphia Story" was dragged out on public display either in this chamber or in the chamber of the lower house.

Mr. President, this did not deter decent, civic-minded



organizations, this did not deter the thousands of decent Philadelphians who were sincerely interested in giving Philadelphia a place in the sun. Notwithstanding their inability to obtain home rule, and notwithstanding their inability to obtain a city-county consolidation amendment, they came to this Legislature every two years, Session after Session, with plans for a new city charter which they asked the Legislature to adopt. Session after Session, notwithstanding the complimentary comments of the Republican Members of this Body who did not reside in Philadelphia, and who appreciated the problem and who for their own communities wanted nothing but the best kind of government, Session after Session, unfortunately, they knuckled down to the demands and the dictates of that small click which was in control of the Republican organization of the city of Philadelphia, that same click which caused its downfall on last November 6 in the city of Philadelphia.

I repeat, Mr. President, that these groups were not deterred and they multiplied. Many organizations grew up and their sole purpose was to obtain home rule for the city of Philadelphia. More thousands upon thousands of citizens of the city of Philadelphia joined in the crusade. It reached a point where the citizens realized that the only way in which they could begin to get it, and hope to get it, was at the ballot box.

Mr. President, in 1949, after twenty-six years of effort, more than a quarter of a century, the Republican leaders of the city of Philadelphia, beginning to see the handwriting on the wall, decided that they better pass an act which would, at least, make it appear as if the citizens of the city of Philadelphia would obtain home rule without further interference from this Legislature. With a few exceptions, one a serious one and I will refer to it later, this Legislature, after many changes were made by the sponsor of the measure, finally passed a home rule bill. Now, you gentlemen may wonder why we were so anxious to obtain such a bill for the city of Philadelphia. I will try to explain it as simply as I know how.

Mr. President, I explained to you that we had a dual government in the city. We had the city government and we had the county government. However, our tax-raising body was part of the city government, and had no say at all in how the county offices were operated. They had no say at all as to the number of employees, they had no say at all as to the amount of money these departments should spend, as to the type of individual that could be hired, as to their qualifications. There was a reckless disregard of ability to do the particular job, and it seemed like everybody in the city of Philadelphia recognized that except the organization in control of city hall. Every newspaper in the city recognized it, fought the battle, wrote about it, but still the group in city hall was adamant. Every Member of this Senate, and I will include those from Philadelphia, knew about it and yet when these groups came and pleaded, when we on this side of the house pleaded, you looked at us, you sympathized with us, you thought that it was an awful thing, you felt that it was a rotten thing, you said that you could not begin to permit the communities back in your own counties to operate that way, but at the crucial moment the sledge hammer was brought out. You gentlemen shrugged your shoulders and you had to go along. Mr. President, I say

to my colleagues that I can appreciate their position but there comes a time when the limit is reached, and I thought that limit had been reached.

Mr. President, these groups then in 1949 pleaded, cajoled, and with the assistance of the radio, with the assistance of the press, with the assistance of the Governor, were finally able to initiate the beginning of a program for the city of Philadelphia. Now, what kind of a program was that? That program was basically one which would give us home rule, which would give our tax levying body the right to determine how many people should be employed, how many people were needed, how much money could be raised, how much money could be spent, so that when this Legislature met every two years they would not have to come running, hat in hand, pleading for another change in the charter, for another amendment. The plan envisaged that there would be home rule and that the county government would be merged with the city.

Mr. President, I think every Member of the Senate knows what I mean when I refer to county government. Every Member of this Senate knows that even in his own county he has a sheriff, a recorder of deeds, a prothonotary, a coroner, a register of wills, a treasurer, a controller, a clerk of quarter sessions court, perhaps a board of revision of taxes—I do not know whether that is true in other counties—and county commissioners. These are the offices I am referring to when I talk about county government. You have almost all of those offices in your own counties and yet, Mr. President, over the years the city had to pay the bills for the operation of every one of those offices and had not a word to say about how many employees they should have, what duties they should perform, how much they could spend. This was the serious problem which confronted all of us in the operation of the city of Philadelphia, and when I say all of us, Mr. President, I am talking about practically everyone except the few men who were in control of the people, who had a strangle hold on the city by their control of the city hall government.

Mr. President, this then was a double problem and it required a double remedy, and this Legislature in 1949, after a great deal of pressure, finally began to supply that remedy. We were given a home rule act and on its way was started an amendment which would permit the consolidation of the county offices referred to with the city, so that finally our tax levying body would know, when it started a fiscal year, how much money it would have to spend and it could arrange to have it spent accordingly. Mr. President, we were glad to get that home rule bill, even though it was not quite all conclusive.

Mr. President, we have had quite a problem in the city of Philadelphia for a good many years with our Board of Revision of Taxes. It was an arm all by itself and had to answer to no one, and try as we might, when that home rule bill was on its way through this Legislature, we were met with shaking heads and were told that you will take this or you will get nothing. You know we took that bill. That bill called for the appointment of a new City Charter Commission, a bipartisan commission. The Mayor of the city of Philadelphia, who was a Republican, I believe, appointed ten members to that commission. The President of the City Council of Philadelphia, who was a Republican, appointed five men to that commission and



notwithstanding the fact that for many many years these groups had come to this body with new charter after new charter, with new plans after new plans, suggesting a streamlined city government, notwithstanding that fact, this charter commission, made up a reputable men in the city of Philadelphia, took eighteen months to prepare and submit to council and to the voters a new charter for the city of Philadelphia.

Mr. President, these men worked not only by themselves, but there was organized in the city of Philadelphia a Citizens Charter Committee, made up of five hundred fifty-eight different organizations in the city of Philadelphia. There developed out of that activity a group known as the Greater Philadelphia Movement, which was the coordinating body for most of the large civic groups in the city of Philadelphia. Panels were arranged, discussions were held, there were hundreds and hundreds of meetings, and after eighteen months a new charter was passed. That, Mr. President, was the first part of the job. There was still the problem of the county government setup which we had to absorb into our city government. Drafters of this charter envisaged eventually the passage of a city-county consolidation amendment, and in the preparation of their charter they provided, in the event there were any constitutional changes which would add additional duties to the government of the city of Philadelphia, the mayor of the city and the city council of the city could integrate those functions into the city government.

Mr. President, the charter passed in April of 1951. In November of 1951, the city-county consolidation amendment passed, and we, all of us in the city of Philadelphia, felt that we had finally achieved almost everything which we had fought for since 1923.

Mr. President, about ten days ago there was introduced into this body the bill which is now before this Senate. In the past—

#### POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, I understood that the gentleman arose to present an amendment to this bill. May I suggest to the gentleman that he present his amendment and then he will be given the widest latitude in discussing it.

Mr. President, I have a faint impression that the gentleman is discussing or debating the bill on Second Reading. I would suggest that the gentleman present his amendment and then discuss it.

Mr. ROSENFELD. Mr. President, I will be guided by the ruling of the Chair. I am not debating the bill, I am giving the Senate the benefit of the history of this whole problem.

The PRESIDING OFFICER. The Chair has allowed, as you know, a wide latitude on this point, but the point of order is well taken, Senator Rosenfeld.

Mr. ROSENFELD. If the Chair wishes, I will offer the amendment and continue my discussion.

The PRESIDING OFFICER. We will be in better order if you do that, Senator Rosenfeld.

Mr. ROSENFELD offered the following amendment:

Amend Section 1, Page 3 by adding a new subsection "c" between lines 9 and 10 to read as follows "(c) A bi-

partisan commission of ten persons shall be created, five of whom shall be appointed by the Governor and five by the Mayor elected at the 1951 Municipal election. The Commission is empowered to consider and report to the City Council its recommendations for the integration into the provisions of the Philadelphia Home Rule Charter of the office and duties of certain former county officers as herein provided."

On the question,

Will the Senate agree to the amendment?

The PRESIDING OFFICER. Senator Rosenfeld, would you like to have us act on the whole amendment as presented or just Section 1?

Mr. ROSENFELD. Mr. President, I would like to state that the title would have to be amended to cover Section 1, and that is why you find notations with regard to the title on there.

The PRESIDING OFFICER. I did not understand it that way. Would the gentlemen from Philadelphia, Senator Rosenfeld, like to have the Senate act on the amendment to the title as well?

Mr. ROSENFELD. Just the amendment to Section 1, Mr. President.

Mr. WALKER. Mr. President, I would ask my colleagues to vote the amendment down.

Mr. ROSENFELD. Mr. President, I understood that I was going to be permitted to finish my discussion of this amendment.

Mr. WALKER. Mr. President, I beg the Chair's pardon. I thought the Chair asked him if he wanted to have us act on it, and he said yes.

Mr. ROSENFELD. Mr. President I think the Chair made it clear to the Majority Leader that the amendment contained an amendment to the title, and the Clerk only read the amendment to Section 1.

The PRESIDING OFFICER. The gentleman from Philadelphia is correct. The gentleman may proceed.

Mr. ROSENFELD. Mr. President, the passage of the city-county consolidation amendment, after the adoption of the new City Charter, gave rise to a tremendous feeling of good within the minds and the hearts of all of the good citizens of the city who had worked all these years to accomplish it. They envisaged finally that we, in the city of Philadelphia, would be the bosses of our own destiny. We who raised the taxes to pay for our city government would no longer have to depend upon the Legislature at Harrisburg for our day to day operation. About ten days ago, the bill which is now before us was introduced by my colleague from the city of Philadelphia, Mr. Kephart. It was introduced with the tag, or label or handle that this was going to be the city-county consolidation which we in the city of Philadelphia had fought for these many years.

Now, Mr. President, one would suppose that meant that we, in the city of Philadelphia, were going to be given the right to integrate all of these former county offices which were now city offices, that the tax levying body of the city of Philadelphia the city council, would finally be in control of every one of these former county offices so that it could begin to budget properly, so that it could begin to tax properly and so that it could run an efficient and economic entity. However, what we actually find is that almost all of these so-called county offices, which all



of us were so anxious for so many years to integrate into our city government, were separated much further from the tax levying body, our city council. As a matter of fact, those of you who attended the public hearing yesterday were told that most of these offices, it is true, performed no county functions any more, but they did not even perform city functions because my colleague from Philadelphia, Mr. Kephart, in his bill now provides that most of these offices perform State functions. The sheriff, the former county office of sheriff, which we worked so hard to get into our city government, so that council would have control over it, suddenly by this measure is placed under the jurisdiction of our Board of Judges, actually a State function. Council has no control. Gentlemen, I ask you, is that what we in the city of Philadelphia have fought for all these years? Is that consolidating the city and the county or is it, in effect, saying, "Well, you have had your city, and now that we have done away with your county, most of what the county did before belongs to the State." That is what is happening.

Mr. President, we thought we were obtaining something of a permanent nature. We thought we were obtaining home rule. Does this bill give us home rule? No. Does this bill provide that the sheriff, a former county office, is now going to be under the jurisdiction of the Board of Judges and is going to stay there permanently? No. Mr. President the sheriff remains a legislative office and notwithstanding the fact that this Legislature may have the audacity to pass this bill and may put the sheriff within the jurisdiction of our Board of Judges, and may give it a color of State entity, there is nothing in the world to prevent the Legislature two years from now deciding that the Board of Judges is not such a good place to have the sheriff. Maybe the sheriff, once again, should be a separate office by itself. Maybe the sheriff, once again, should be an elected official. In any event, the office of the sheriff remains outside the pale of city council and outside the pale of city control.

Now, Mr. President, I have talked to many of my colleagues in the Senate about this matter, and I know that many of my colleagues once again have shown a great deal of sympathy, have shown a great deal of interest, have nodded their heads, have shaken their heads, have said "I don't see how I could vote for a piece of legislation like that," and yet I think I have been around here long enough to have a sense of feeling that the calling up of this bill for action at this time is an indication that the old blackjack, the old steam shovel, the old steam roller has been put into action and the boys are going to go down the line voting "yes," when deep down within them they know that they are doing a tremendous disservice not only to the city of Philadelphia but to the State of Pennsylvania.

Now, Mr. President, many of you gentlemen may feel that this is just a "Philadelphia Story", that you are not affected by it at all, you are willing to accept the pleas, the preachments, the implorings of the leaders of a political party which has now been discredited three times in a row in the city of Philadelphia. You are willing to permit yourselves to be bludgeoned to that low stature, notwithstanding the fact that this is costing you, costing the citizens of your counties, money. Your passage of this

kind of a bill involving the city of Philadelphia can mean only one thing. We are now facing a \$15,000,000 deficit in the city of Philadelphia. We will not be able to do a thing about that deficit, because this particular section dealing with the sheriff, as do many other sections of this bill, freezes into office, if you please, every present employee of the sheriff's office and the present employees of many of the other offices. It is no secret. The press has carried the story that the city faces a \$15,000,000 deficit.

Now, Mr. President, there are only two avenues open to us in the city to overcome that deficit. One is we will have to raise our real estate assessments. Now, in the event you gentlemen do not know it or do not realize it, the raising of our real estate assessments, brought to the attention of the State Tax Equalization Board will mean that we in the city of Philadelphia are going to get more funds for education purposes. Now, gentlemen, those funds do not just come from out of the air. Those funds come from a pot, a common pot, which we create here in Harrisburg for every school district in the Commonwealth and that covers every school district in Potter County, in Clinton County, in Lycoming County, in Schuylkill County, and that means that the school districts in your counties are eventually going to get less money.

Mr. President, what else does it mean? It means that we will have to increase our wage tax. The increase of our wage tax will mean that the nonresidents of our city, too, residents of Delaware County, residents of Montgomery County, residents of Bucks County and other counties, are going to have to pay into the coffers of the city of Philadelphia for the purpose of operating that city all that extra money, money which could very well be retained by these individuals, money which could very well be spent by them in their own communities. So, you see, gentlemen of the Senate, you are not dealing just with a local Philadelphia problem. It is much broader than that. You are dealing with a problem that affects everyone of you as individuals, and which affects everyone of the residents of your communities in your counties.

Mr. President, this bill and this particular section is by no stretch of the imagination consolidation. How in the world anybody can say that the appointment of a sheriff by the Board of Judges, making it in effect a State function and separating it further from city council, is consolidation, is beyond me. Mr. President, I know as I face the other side of this aisle that I am speaking into the wind. It is this kind of thing, after all of these years of work and effort, that makes me wonder whether this kind of work is worth it. It is, in simple language, just plain disheartening and just plain disgusting. I know that many of you will find it difficult after voting on this section, to really honestly and sincerely look me in the eye so that I might have the feeling that you thought you did the right thing. Gentlemen, I know you would not be able to do it, and if you do, I know that you would not be able to do it sincerely, and I know that you cannot mean it. I think, after all these years and I think you already know the people of our city, and I am talking of Republicans as well as Democrats, everyone of them will know that the small group in control of city hall,



which they discredited, was able to come up to Harrisburg and say to you gentlemen, "This is a matter that involves Republican politics and you have got to go along." Gentlemen, and I speak to you now politically, if you have the temerity and the audacity to pass this kind of a bill and make anybody with any decency think that it is an implementation of city-county consolidation, then I say to you that your Republican Party is doomed for the same kind of treatment by the voters of this whole Commonwealth which the voters of the city of Philadelphia gave to that organization.

Mr. President, I ask that my colleagues on this side of the Senate,, and I plead and implore and speak to the decency, because I believe all of my colleagues are decent, of all of my colleagues on the other side of the Senate and ask you to vote for the adoption of this amendment.

Mr. KEPHART. Mr. President and Members of the Senate, the particular amendment suggested by Senator Rosenfeld sets up a commission to investigate the possibility of integration and consolidation of the county government in Philadelphia. The result of any such commission would be that consolidation would be delayed until after the commission acted. Consolidation would be delayed until after the persons elected last November took office. Consolidation would be delayed until they had served out their terms of office, because the Constitution provides that once in office they cannot be removed during their terms. Those jobs are necessary, many of them, and the whole purpose of the consolidation amendment to the Constitution was to remove them and make the government in Philadelphia a more efficient and a better government.

Mr. President, the Democrats know when they ran for office last fall and were elected that they might never take office, because at the same time that they ran, the people voted for consolidation in Philadelphia. The people of this Commonwealth have imposed a duty on this Legislature to consolidate the government of Philadelphia, and to integrate the county functions with the city government. That is a duty which we in the Legislature cannot shirk. We have the duty upon us to consolidate Philadelphia's government.

Not only that, Mr. President but at the hearing of the Joint State Government Commission in 1948, when consolidation was discussed, a proposed amendment to the Constitution was submitted to that commission by the Democratic Party, by Mr. Dilworth, Mr. Clark and Mr. Finnegan, which implicitly and in no uncertain terms provided that if a consolidation amendment were passed by the people of Pennsylvania, only the people actually in office at that time would be permitted to remain. No one, because they were just elected, would be permitted to take office and thereby be in interference with the proposed consolidation. So much for the amendment.

Now, Mr. President, I would like to digress and go a little bit afield to answer Senator Rosenfeld on some of his other points, and I ask unanimous consent to do so. I am assured by the opposition that I will receive such consent.

The PRESIDING OFFICER. The Chair has permitted wide latitude. The gentleman may proceed.

Mr. KEPHART. Mr. President, the question which first

confronts us at this time is whether consolidation will be effected by the Legislature or by some local agency such as city council or a commission appointed in Philadelphia. At that same hearing which I referred to, before the Joint State Government Commission, the Democrats speaking through Mr. Clark, the present Mayor, had this to say. Mr. Clark said:

"The type of city-county consolidation amendment which we recommend is attached as Exhibit 1 to the memorandum. It is not our work—it represents the work of people who have been thinking about the thing for fifteen or twenty years as the result of conferences among a number of civic agencies. It covers what I think is sound government procedure in that it is a resolution which consolidates the city and county and then leaves the details of consolidation to legislation. That is the only sound way to bring city-county consolidation about, and any other suggestion, gentlemen, is a red herring and a phony." In other words, Mr. Clark thinks that we should consolidate by legislation in this body.

Mr. President, at the same hearing, Senator Walker asked Mr. Clark:

"SENATOR WALKER: You mentioned the city charter and home rule. Are you suggesting that the legislative committee draft this charter or that we have a city commission so that the home rule people here can draft their own charter?"

"Mr. CLARK: My point is that we have so much milling around with charter drafting—we know what we want except for the matter of detail. I am in favor of a legislative charter and home rule bill so if we don't like the legislative charter we can amend it or change it."

Now, Mr. President, what my bill provides is consistent with what Mr. Clark requested at that time, a legislative consolidation, and if they do not like it in Philadelphia, Section 9 of the bill provides that they can change it by amendment to the home rule charter.

Mr. President, I ask my colleagues to vote down this amendment, and I expect to debate this bill at greater length on Third Reading when the matter is properly before us for debate.

Mr. ROSENFELD. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. Mr. President, may I ask the gentleman from Philadelphia, Mr. Rosenfeld, whether the interrogation is on the proposed amendment?

Mr. ROSENFELD. Mr. President, the interrogation is with respect to one statement he made, and which indirectly or directly has to do with the section that we are dealing with.

Mr. KEPHART. I will accept the interrogation, Mr. President.

Mr. ROSENFELD. Mr. President, my interrogation has to do with an amendment submitted by my colleague, Mr. Kephart, which concerned itself with the appointment by the Mayor of the city of Philadelphia of all of these people who were elected on November 6, 1951 into some city office and if they were not placed in some office, provided that they shall be paid their salaries, neverthe-



less, by the city of Philadelphia. Did you not introduce such an amendment to this bill?

Mr. KEPHART. Mr. President, I presented the amendment, which you will find contained in Section 10 of this bill, to the committee and requested that it be put in the bill. As far as I am concerned, it can be stricken out if you so desire.

Mr. ROSENFELD. Mr. President, I merely want to bring to the attention of the Members of the Senate that my colleague from Philadelphia is so anxious to have us believe that these men who ran for office on November 6 knew that even if they were elected, they might not serve and yet, by his own amendment to this bill be provided that even if they do not serve, they should be put into some other office, or if not put into some other office, they should be paid by the city of Philadelphia.

Mr. KEPHART. Mr. President, may I further answer the gentleman from Philadelphia on that point? In a letter to the Governor, the Mayor-Elect explained that it was unethical to keep the people who were elected last fall from getting their jobs or their salaries. My amendment merely provided that the Mayor would have authority to place those people, whose jobs had been taken away or dropped because they were unnecessary, in his city setup, and it provided further if they did not have any qualifications to fill any job, then I guess we would have to pay them if they were so unethical as to take the money for not working.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. DENT. Here tonight, Mr. President, I would like to ask the gentleman if the Legislature were not in Session at this moment, what would have happened after the people passed the consolidation amendment?

Mr. KEPHART. I think, Mr. President, that the question is immaterial. We are in Session, the people have spoken, they have passed an amendment to the Constitution in which it states that the county of Philadelphia should be consolidated with the city, and they have placed that duty upon this Legislature. It is our duty to perform that function or we are shirking our duty.

Mr. DENT. Mr. President, I just want to say, in reply to the gentleman's answer, that the question of duty and the interpretation of duty is one that would require a great deal of time. All of us see our duty in different lights. I do not think it is the duty of this Legislature in three days to attempt to create a condition in the city of Philadelphia by passing a consolidation act which he, himself, must admit, and if every man on the Senate floor were interrogated tonight as to the provisions of this act, would admit, would be in violation of their duties, as I see them, including myself, because there is not anyone other than perhaps the Senator from Philadelphia, Mr. Kephart, the Senator from Philadelphia, Mr. Rosenfeld, and a few who might have read the act, who know what they are doing tonight.

Mr. President, what is happening here? It is the old question of the majority taking charge, riding roughshod over the minority. The question resolves itself into what

is the duty of this Legislature. It is the duty, as he sees it, for this group of Senators on the other side of this Senate tonight to say to the people of Pennsylvania that the citizens of Philadelphia are going to have what we give them tonight as a consolidation act? What is consolidation in the interest of the people at the proper time? The people of Philadelphia in their own way, under their own charter, the Home Rule Act shall decide the best manner in which that city shall be governed. If there is a problem to come before the Legislature, let it come after there has been mature thinking upon the problem.

Mr. President, the gentleman from Philadelphia, Senator Rosenfeld, said that it took some twenty odd years to design the legislation which we have in the Charter Act. The fight has gone on for years. We have had for many years bills before us covering consolidation. Senator Kephart said here that the gentlemen who ran for office in the last general election knew that they would not be able to take office. From the campaign which they carried on in the city of Philadelphia, knowing that they were not going to take office there, I want to ask the Members of this General Assembly if you think these fellows were in their right minds when they went out and spent their money, spent their time, to win a hollow victory. The men who ran for office I believe, were entitled and are entitled to the privileges of the office to which they were elected. At no time was there a notation placed behind the candidate's name, saying, if this man is elected he will not take office if the General Assembly is stymied and is still in Session.

The thing tonight, Mr. President, that must seem peculiar to all of the people of Pennsylvania is how this group of Senators can find it so convenient to get together in caucus action and decide on a solid vote for a purely political piece of legislation, and yet, on the question of fiscal problems involving the sufferings of many of the people of this Commonwealth we have sat in our chairs for the last eleven months or more, trying to find some kind of a solution to the fiscal problems and the budgetary problems of this Commonwealth, and yet here tonight we find a solid mass working together. For what reason? To save those in Philadelphia who were destroyed in the last election. It would be just as proper for me, representing the Democrats in Westmoreland County, to come before this Senate tonight and say, "You ought to pass some kind of a blanket law concerning the Democratic officeholders who will lose their jobs in January, because we lost control of the county commissioners office." It would be just as proper for me to come in with that kind of legislation as it is for you to come in with this kind of legislation. You do not come with clean hands unless you are agreeable that in every county where there has been a change in administration, those unfortunates, who by the fortunes of war are now losing their political jobs, ought to be blanketed in and have their civil service.

Mr. President, let us look at the civil service provisions of this bill. If ever civil service has been written in such a manner as to make mockery out of it, just read the provisions in this bill. Summed up, Mr. President, this is what it says, that these individuals in Philadelphia, these Republicans who now hold jobs, will and must be kept in their jobs so long as they are able to walk and breathe. That is the only qualification under this bill which they must live up to. Why make a mockery of civil service?



What do we mean by merit rating, what do we mean by civil service, continuing in office those officeholders who the people turned down? I believe in Westmoreland County the people wanted a change. They wanted a change or they would not have voted the way they voted and no administration can act in good faith unless it has its lieutenants unless it has its soldiers in the army following the leader.

Mr. President how can you sabotage the new administration of the city of Philadelphia by giving them those workers in that city who are opposed to the leaders, who are against the very principles which they stand for? How can we, in good conscience, say to the people of the State of Pennsylvania, "We are doing the just and proper thing"? It would be just like saying to the American Army, "We will take from you the generals and give you the enemy's generals, and then you fight for them." You just cannot do it. It is not human nature, they would be sabotaged at every turn, and the economies, and the good government which have been promised by the Democratic victors in Philadelphia will not be forthcoming, because at every turn, every order will be countermanded by some saboteur working in the ranks, working in the offices of the officials who have been duly elected by the people, and they will be helpless to do anything about it.

Mr. President, we do not want to discuss the merits of the bill today. Tomorrow we will discuss the so-called merits. Tonight we will discuss the demerits of this legislation, and I will guarantee you that it will take hours and hours and hours for anybody to convince me that the demerits will not outweigh the merits. Why the rush? Why all this haste? For eleven months we have not done anything but have Republican Caucuses. That is all we have had that I know of, and we can continue to do so. Those of us who feel that this is an important question are willing to stay, and in all probability we will have to stay anyway.

Mr. President, I am a little bit disturbed about this "Peace on Earth, Good Will Toward Men." Some people believe that the only thing that counts is political power, political victory. They will go to any ends to achieve it, and let me say in all seriousness to the Republican Party, you have lost Philadelphia and you will lose the State of Pennsylvania just as sure as you are in your seats tonight, because the decent people out over the districts will not stand for this kind of action. You cannot say that it is fair for Philadelphia and not put it in vogue everywhere else. You cannot say it is good government in Philadelphia to freeze those in office whom the people voted against, and remember when a political party is wiped out it means that the entire political party is wiped out, not just the generals, but the rank and file, too. We live by that code where I come from, and most every other man in government lives by that code. If at any time when they were in power, and for so many years they have been in power, they felt that this was good government, why did they not pass it then? If they felt that this live and walk and breathe type of civil service was proper, why didn't they pass it then? They fought every attempt to give the city of Philadelphia good government, but tonight it is the holy duty of Senator Kephart to save what, to save the jobholders in the city of Philadelphia, and there is not another thing which this bill does, no matter how you color it up and no matter how you talk about its virtues. I could give it the name that it properly should carry.

Mr. President, this piece of legislation is causing at this late hour a disturbance here in the Senate, and will cause a disturbance in the House of Representatives which will long be remembered, because it is, to my mind, in all the years that I have been here concerning much of the unfair legislation that I have fought against and much of the good legislation which all of us have tried to pass, the outstanding piece of chicanery that has ever been tried in this Senate. Under what guise, under what name? Under the holy name of duty? How do you measure duty? What do you call duty? Duty to the people who tried and lost, duty to the people who failed, duty to the people who went out and rang the doorbells to try to win and when they failed, because the people were against them, you say to the people, "You won, but we are not going to let you win because we still have thirty votes in the Senate of Pennsylvania. You men from other counties over there, you men that come from Schuylkill, you men that come from Monroe, you men from Luzerne, you men from Dauphin, you men from Erie, all of you who come from outside of the city of Philadelphia, why join in this rape of those people? Why join in this tonight? I might say to all of you that there is other legislation upon the books and upon the calendar today. Let us see whether your duty compels you to follow this type of legislative activity when it comes to that legislation.

Mr. President, coupling all of the things that are happening here, I have read with careful interest one of the bills which has been presented to this Senate on reapportionment. I do not know the final stage in which it will appear, but when you read it, is that the kind of duty you call sublime? Is that the kind of duty you call proper? Look at that reapportionment bill. It is not a reapportionment bill, it is an abortionment bill, seven Democrats to be ripped out of their offices in the State of Pennsylvania by the dirtiest trickery since the Civil War. Is that the kind of legislation you call duty? Well, if that is duty, I want no part of it.

Mr. President and Members of this Senate, just as surely as you are in the chamber tonight, those who live by the sword shall die the same way if the fortunes of war change. The pendulum swings but it must come back if time is to move, and time is the only thing which is constant. We in this chamber, whether it be those who are present here tonight or whether none of us live to see the day, but there will be a day when other men will sit in this chamber and they will not look with pride to the actions tonight. I say to all of the Members of this Senate, you can be ashamed of this action. You cannot be proud of it, because in individual conversation I know how you feel about it, and yet the Governor of this State, right or wrong, but in the opinion of the twenty Democrats on this side we felt that he was wrong, that man, the titular head of his party, could not wield the force which is being wielded tonight to bring into play that solidarity which would have meant that this State would not have been subjected to eleven and one-half months of ridicule in the eyes of the people.

Mr. President, who is the real casualty here tonight besides the people of Philadelphia? One individual is the casualty here tonight. That man is the Governor of the Commonwealth, because every decent citizen can ask this question. He can say to himself, "What happened in Harrisburg? They said that the Republicans were split,



that no solidarity could be gained. There was no unanimity of purpose," and yet here on a political job and on a political job-stealing piece of legislation we find them welded together into a solid phalanx, mowing right down the middle, against all honor and against all opposition, fighting here tonight for one reason only, to hold into political office those who should not be there anymore than the Democrats in Westmoreland should be there, any more than the Democrats in York should be there, or anymore than the Republicans in Erie should be there. A man who is elected to public office has the right to select his help because that is the only way in which a man can properly run a political government.

Now, Mr. President, if you want to continue this sublime duty, why not put a bill in freezing all of the employees of this Commonwealth into civil service? Why don't you freeze everybody and let's have a merit rating government which will end up in time in the same kind of a debacle which overtook Europe, because it has been discovered that unless men and women have a responsibility to those above them, to the officers in charge, unless they have a certain responsibility to government, government becomes lax. I say to the people of Philadelphia, you will have another election some day, and I doubt if these political officeholders who were unable to save you this time can save you then, and I say to all of the Members of this Senate tonight, this is a black night and will go down in history. It will go down in history and if it does go down in history, then history must repeat, and some of us will live to see the day when this kind of an action will be properly rejected by the people of the State of Pennsylvania.

Mr. President, I look forward to the day when upon house cleaning of this State, sincere men will show what can happen when a majority forgets its responsibilities to the voters. The citizens of Philadelphia are entitled to home rule and home rule is not created here in Harrisburg. Under normal conditions this Legislature would have been out of here in June or July, and under those conditions, when the amendment was accepted by the people, there would have been a time of study, there would have been a time of preparation and then the Legislature would have had the benefit of mature thought.

In questioning the sincerity of the Democrats, let me tell you, Senator Kephart, that if you look over the records you will find that the Democratic Party in Philadelphia was sincere because it sent out messages to me and to every other Democratic leader in all the rural counties, in all of the counties away from Philadelphia, and asked them to support this amendment. If they thought for one minute that this kind of action was going to be taken tonight, knowing that they were going to win in Philadelphia, and if they were just as political minded as the opposition party is tonight, they would have been justified in asking all of their friends all over the State to vote against the amendment, but, no. In all sincerity, they wanted to give Philadelphia city-county consolidation, and in all sincerity this side of the Senate says to you on the other side tonight, "Do not do what you are trying to do. We can only voice our opposition. We know you have the votes, but there are some things we can do to call to the attention of the people of Pennsylvania this blight upon the escutcheon of this Senate. We can do that by legal, logical and proper means."

Mr. President, I say to the Senate, much as it may delay this Senate action, much as it may cause some inconvenience to some of the people of the Commonwealth, we will do it. It must be done because throughout history every time tyranny has raised its ugly head, somebody has had the courage to fight it. This group here will show the people of Pennsylvania by whatever means legal and parliamentary which we can find at our command, that this condition exists in Pennsylvania. We will attempt to show to the people of Pennsylvania that it is nothing but pure politics, and if anything happens to the institutions by this action, it must revert to those who caused this action to be taken, because they feel more for the political jobholders in the city of Philadelphia than they do for the institutions of this State.

Mr. President, this is not a threat, it is a statement of fact and principle. Whatever may come, whatever may go, this group of Senators on this side will bring to the attention of the people of Pennsylvania, by every legal means, this action tonight. It is not proper, it is not justified, it is not fair play, and I for one will extend every ounce of strength and every ounce of ability at my command to see to it that the people of this Commonwealth know what is going on.

Mr. STIEFEL. Mr. President, I would like to interrogate Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. STIEFEL. Senator Kephart, in preparing this bill did you consult all the research work done in connection with the city-county consolidation?

Mr. KEPHART. Mr. President, I was the sponsor of the consolidation amendment which the people voted on and approved at the last election. In the preparation of that amendment and in the preparation of the home rule bill which gave Philadelphia home rule, I consulted with the five civic groups in Philadelphia who had the proposition most at heart and who represented most of the best thinking of Philadelphia at the time.

Mr. President, since that time, the Greater Philadelphia Movement has been organized and I have consulted with the Chairman of the Greater Philadelphia Movement. I have consulted with the Legislative Committee of the Greater Philadelphia Movement, I have read extensively, and this is most important, at the hearings which the Joint State Government Commission conducted in 1948, at which time these civic agencies in Philadelphia and leading Democrats, those who are now elected to office were present, I read in those proceedings where they came before the Joint State Government Commission and explained their viewpoint in detail. My bill merely carries out the plan which was acceptable at that time to all these civic agencies and the Democrats also.

Mr. President, there is nothing in this bill which, if you read that record, would even be considered as a controversial measure. Everything was agreed upon by all of them. I want to read from those proceedings a statement by Mr. Clark, where he said, "We know what we want in detail, except in certain small details, and we want you people to put it into effect." They gave us the plan in writing, and tomorrow I propose to show in detail that everything in my bill was agreed to at that hear-



ing and comes from, is sponsored by, or is approved by those civic organizations, the Democratic Party and the members of the Democratic Party who appeared, Dilworth, Clark and Finnegan.

Mr. STIEFEL. Mr. President, I desire to further interrogate Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be further interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. STIEFEL. Senator Kephart, you just consulted opinions, but you did not make a study of the functions of each department which you incorporate in your bill.

Mr. KEPHART. Senator Stiefel, I did not get your question.

Mr. STIEFEL. Did you make a thorough study of the functions of each department which you incorporate in this bill?

Mr. KEPHART. Well, Doctor Stiefel, I would say that I do not know in detail all the ramifications of each department which we changed, but I think that is wholly unnecessary. The fact that whether you would change the Bureau of Weights and Measures from the County Commissioners to the Department of Licensure, which is the new department created by the Home Rule Charter, does not necessitate that I know every detail as to what the Bureau of Weights and Measures in Philadelphia does. I have been in the City Solicitor's Office for seven years, I was Assistant City Solicitor, and I know something of the workings of the departments of the city. I have been in Philadelphia for twenty years, and in the practice of law have learned a great deal of what goes on in the city-county government. I have been up here since 1939, and in that connection I have come in contact with various departments of the city. I know something about political science, maybe not too much, maybe not enough to be a doctor. I hope that answers the Doctor's question.

Mr. STIEFEL. Mr. President, I desire to further present a question. In connection with your allusion to political science, have you consulted the Institute of Local and State Government of the University of Pennsylvania which delved into this question and prepared studies about it?

Mr. KEPHART. Mr. President, the Institute of Local and State Government filed a brief or a prepared statement at one time or another, but I have a recollection of having read it.

Mr. STIEFEL. Senator Kephart, how does that brief, prepared by the Institute of Local and State Government of the University of Pennsylvania, which you will agree are political scientists, compare with your bill?

Mr. KEPHART. Well, Senator Stiefel, I cannot say in detail how it stacks up one way or another. If I had their report here, it would probably take me an hour or so to go through it, paragraph by paragraph, to see how it lines up. I think the most important thing is what the five civic groups all agreed upon and what the Democrats themselves sponsored and agreed upon, which I propose to-morrow to go into, paragraph by paragraph and read into the record of the Senate. I do not propose to do it tonight.

Mr. STIEFEL. Mr. President, I just wanted to point out, as the gentleman from Westmoreland stated before, that this measure was prepared in a minute of haste and will result in a lifetime of regret. It is only based upon opin-

ions, but where you have a thorough study by scientists who gave plenty of time to each function of each department, if you would have given attention to this matter and if the bill would have been prepared on the basis of those studies, I am sure that this opus would have not been presented to the General Assembly of Pennsylvania.

Mr. SILVERT. Mr. President, Senator Kephart said that the reason he introduced the bill at this time was to hasten city-county consolidation. It is rather remarkable that the Republican Party in Philadelphia should be so anxious to have immediate city-county consolidation. It is only a little more than five weeks ago, on November 6, that the Republican Party suffered its worst defeat in some seventy years, or probably in its history.

Mr. President, this defeat was remarkable for two reasons. First, because in the city of Philadelphia the registration of the Republican Party is close to three to one. Secondly, this defeat was remarkable because the Republican organization in Philadelphia started with 20,000 jobholders who together with their sons and daughters and families started with over 100,000 before a Democratic vote was cast. Now, what is the primary reason for this remarkable defeat? Mr. President and Members of the Senate, there is only one answer and that answer is that the Republican organization thought more of feathering its own nest than caring for the welfare of the people of Philadelphia.

Mr. President, on the same day that the Republicans suffered this defeat, the people of Philadelphia by a big majority ratified the new City Charter. This charter was the creature of eighteen months of hard work. There was one draft, then there was a second draft, then there was a third draft, and let us look at the people who drafted this Charter. It was done in accordance with the mandate of the act of 1949, giving home rule to the city of Philadelphia. On this commission there were ten Republicans and five Democrats. It took them eighteen months. They consulted every worthwhile organization in the city of Philadelphia before completing this charter and submitting it to the people.

Now, Mr. President, here we have, in the space of a couple of weeks, an organization which has been so thoroughly discredited making up its mind just how this consolidation should be done. How could it possibly be right? If we look at this amendment offered, it was a thought discussed and suggested at the public hearing which was held yesterday, and at that time it seemed that Senator Kephart thought it might be a good idea to pass a simple law here in this Legislature creating a commission of ten, five to be appointed by the Governor and five to be appointed by the Mayor-Elect. They were to make a study of all the departments, where they should go, how they should go and what possible jobs could be eliminated. The proposition seemed so fair that Senator Kephart himself thought this might be the solution, but it was not long before we got word that there was nothing doing on it because, in all probability, Senator Kephart got his orders from this same discredited organization which suffered such a defeat just a bare five weeks ago.

Now, Mr. President, when you are trying to take an office like the sheriff and put it into the prothonotary's office and put the burden on our Common Pleas Judges of appointing a sheriff and fixing salaries, you are throw-



ing our Common Pleas Judges right into politics, and they do not want it. They have said now that they do not want those outside duties which take them into politics. They are now in politics through the Board of Revision of Taxes, in that they appoint the members of the board. I am sure that every Judge of the Common Pleas Courts of Philadelphia would be grateful if our charter had included the Board of Revision of Taxes and taken it out of their supervision, and yet with this bill we are taking another big office and throwing it into the laps of the Common Pleas Judges and throwing them into politics.

Mr. President, what does that mean? It means only one thing, it can mean only one thing, that the Judges, having been put in politics by this bill, must be resisted and must be opposed every time they come up. Now, who wants that in the city of Philadelphia? Certainly, the drafters of the charter had no such thing in mind and did not want it.

Mr. President and Members of this Senate, let me say that if, through influence brought upon you, you pass this bill against your better judgment, I firmly believe that this Senate will be tarred with the same iniquitous brush that brought such a terrific defeat to the Republican Party in Philadelphia last November 6.

Mr. DiSILVESTRO. Mr. President and gentlemen of the Senate, I believe you can count on the fingers of one hand the number of times I have risen in this Senate, and if the Members of this august body will please give me the opportunity for three or four minutes to get what I have to say off my chest, I will appreciate it very much.

Mr. President, I do not speak as a filibusterer, because I think it is the lowest and foulest method of trying to get your point across, but I would like to speak more or less as a prophet. -

About twenty years ago we played a baseball game in Kelayres, Pennsylvania. We won the game fairly and squarely, and our opponents, unable to take defeat gracefully, stoned us out of town. This incident helped me to better understand people and impressed upon me the fact that people will rise up against anything which does not please them, right or wrong. (In this case their opposition was wrong as the rules of the game had been closely followed). Yes, people will rise up against a situation not to their liking either forcibly or peacefully.

Some years ago a man named Foss tied a rope around his neck and committed suicide. The people in my district read about it, saw his picture, and got acquainted with the facts. Why he did it, I do not intend to go into. They came and asked me, "When is the next election? We have to get these people," and they voted for the first time for the Democratic ticket. This, I believe, was the first victory for the Democrats in many years.

Mr. President, later on somebody committed suicide by jumping off a bridge. The people again asked, "When is the next election?" They were waiting for the next election; they started thinking and acting.

These happenings, which are so vivid in my store of memories, point up the fact that people will react to a situation through the means at hand. In these instances it was through the peaceful machinery of an election. However, in enacting the Kephart bill, we are disturbing the tranquility of a city and the results may be disastrous. By the designated means and machinery, they have

attained an election in the proper manner. This is not any moral, cold-cut situation. We are dealing with emotions which no one on earth can control.

If a group of unthinking people are sufficiently riled up by a cunning and malicious person, they are liable to organize a machine gun parade to put an end to this smelly situation in Philadelphia. They will say, "We must use force because that is our only recourse."

I say to you, gentlemen, we are taking a serious step. If you give this kind of ammunition to unthinking, easily-led people—give them this kind of bill, gentlemen, bear in mind that the "Massacre of Kelayres" or the "Bloody Fifth in Philadelphia" can be repeated. Unthinking people will not try to rationalize a question of such importance with you or assimilate such a serious situation by word of mouth. They will take action. They will figure out that where there is an injustice done, force is required, and where there is force a disastrous situation can be created.

Mr. McMENAMIN. Mr. President, I am a freshman Senator and have tried to observe the time-honored tradition of staying in the back row. I believe in a lot of traditions and I think there is plenty of room in America today for some traditions. However, Mr. President, I would like to say a word or two at this time.

It seems to me, Mr. President, that this bill that we are getting into now is the most serious problem in connection with good government which has faced this Legislature yet this year. Now, what brings me to the microphone at this time is Senator Kephart's reference to political science. Sitting in the back, I cannot help but let my mind go back over the years to when I had a course in political science, too. Perhaps it was not the same one that Senator Kephart had, but in one of the text book cases in American politics and in American government, one of the chapters certainly was the chapter on big city machines, and in the text book example of big city machines and all the evil and harm that they did to America was, among others, the Philadelphia gang. Professors predicted at that time that they would eventually be driven off the American political scene. Since that time, of course, we have seen the Long Machine in Louisiana go down, we have seen the Kansas City crowd wiped out, Tammany is gone in New York, and last November 6 the people of Philadelphia, after a good many years, did away with machine politics in Philadelphia.

It seems to me, Mr. President, that this bill is the death rattle in the throat of that Republican machine in Philadelphia. I cannot understand for the life of me how Senators from other parts of the State, belonging to that Grand Old Party, can allow themselves to be placed in a position to go along to try to save that crowd. I believe, as Senator Dent has said, this action is going to bring the State organization of the Republican Party down with the Philadelphia city machine if this bill is passed in its present form at this time.

Mr. NEFF. Mr. President and Members of the Senate, I, too, feel very strongly about this piece of legislation. I do not seek to be repetitious here, but I think this is a despicable attempt by a defeated group of politicians, who have brought disgrace for years to the greatest city of the Commonwealth, to retain control for the party hacks, the common gamblers, the leeches upon the city of Philadelphia.



Mr. President, on November 6, 1951 the voters of Philadelphia repudiated the Republican organization which had enjoyed control of the city's political life for 70 long years. The decision was not a sudden one, but was the result of a series of disclosures of graft and corruption which literally permeated the entire structure of the government of the city under Republican control.

Certain basic changes have long been needed. In 1949 the Pennsylvania Legislature conferred upon the city of Philadelphia complete powers of local self-government. Thereupon, civic leaders of both parties commenced the difficult and important task of drafting a new Home Rule Charter for the City, which was finally adopted by the voters on April 17, 1951.

There remained the fundamental need to consolidate the functions of city and county government in Philadelphia, in order that the antiquated methods by which the city had been governed might be streamlined and a modern form of government established. During the recent campaign, Republican leaders were slow to approve city-county consolidation, but finally gave it their blessing. On November 6 the voters of Philadelphia and Pennsylvania approved an amendment to the Constitution which abolishes all county offices in Philadelphia and provides for the performance of county functions by the city of Philadelphia.

Immediately following the elections, the Mayor-elect appointed a committee, consisting of representatives of both parties, to study the problem of consolidation and to make recommendations with respect to any legislation which was needed to give effect to the constitutional amendment. This committee stated that no such legislation was necessary and that, even if legislation were necessary, all that would be required would be a simple bill authorizing the new City Council to enact appropriate legislation.

Mr. President, the simple bill turns out to be the Kephart Bill which might properly be called "Operation Blunderbuss." It completely ignores the will of the voters of Philadelphia in a brazen attempt to perpetuate Republican organization control of the city in the face of its overwhelming repudiation in the November elections. This bill retains only two of the county offices—the District Attorney and the City Controller. It abolishes the offices of the Recorder of Deeds, the County Commissioners and the Board of Inspectors of the Philadelphia County Prison. For all practical purposes it abolishes the offices of Coroner. This bill further permits the present Coroner, Register of Wills and City Treasurer to complete their respective terms of office, but it eliminates the office of Recorder of Deeds, to which a Democrat was elected in November.

For many years, Mr. President, there had been considerable concern over the fact that Philadelphia Judges were required to be engaged in politics by reason of their power to appoint certain officers and employees. The judges themselves did not want to be in politics, and since 1947 the compensation of all public officers, clerks and employees has been fixed by City Council, except the salaries of elected officers which are fixed by law. The City Council, of course, was controlled by the Republican organization in Philadelphia. The Kephart Bill puts the judges back into politics with a vengeance. The Register of Wills is to be appointed by the Judges of the Orphans' Court,

and the judges are given authority to approve the number of employees he shall appoint, their qualifications and compensation.

Mr. President, the Bill provides that the Common Pleas Judges shall appoint the Sheriff and approve the number of his employees. The same board shall continue to appoint the Prothonotary and approve the qualifications of all his employees. However, the bill goes much further than that. It abolishes the office of the Clerk of the Court of Quarter Sessions (to which a Democrat was elected in November), and transfers his functions and all his employees to the Prothonotary. As a result, the Board of Judges is to approve the number and qualifications of all such employees.

Heretofore, Mr. President, City Council fixed the compensation of employees of the Board of Revision of Taxes. Under the Kephart Bill, the Board of Judges is given the power to approve the number, qualifications and compensation of the employees of the Board of Revision of Taxes. It is clear, therefore, that if the Kephart Bill should become law, the Common Pleas Judges in Philadelphia, who desire to be removed from politics, have full authority over the offices and employees of the Sheriff, Prothonotary, the Clerk of the Court of Quarter Sessions and the Board of Revision of Taxes—more power than they ever had.

Mr. President, the Kephart Bill abolishes the County Commissioners and distributes their functions among the various departments of the city under the new charter. There is, however, one glaring exception. The functions previously performed by the commissioners as the county board of elections are transferred to the Registration Commission, which is a state agency, controlled by the Republican government at Harrisburg. In this respect, the Kephart Bill has the effrontery to deny the voters of Philadelphia any voice in determining how their own elections shall be conducted.

The new charter accords civil service status to city employees. The Kephart Bill, with the stated purpose of ratifying this provision of the charter, provides that all former county employees, when the act becomes effective, shall be continued as city employees and have civil service status. But, this applies to employees in all county offices now controlled by the Democratic party as a result of the November elections, whereas civil service status is not accorded to employees of the Prothonotary (which include the employees of the Clerk of the Court of Quarter Sessions) or to the employees of the Board of Revision of Taxes. The obvious reason for their exclusion is that these offices are still controlled by the Republican organization, and it is undoubtedly considered essential to retain control of these employees for the purposes of the organization. Furthermore, in order to insure retention of control over these employees, the authority previously exercised over them by City Council is transferred to the Board of Judges, a majority of whom are Republicans. Although the employees of the Sheriff are also subject to the approval of the Board of Judges, they are placed under civil service for the reason that the new Sheriff is a Democrat, and while the sheriff's employees are to be under civil service, the Sheriff himself is specifically excluded therefrom.

Mr. President, in conferring civil service status on the



employees of the former county offices, the Kephart Bill refers to all former county employees "on the payroll." This qualification seems unnecessary unless there are a number of county employees who would not be considered employees except for the fact that they are on the payroll.

Another section of the Kephart Bill, which may have escaped general notice, is Section 9 which provides that certain sections of the bill can only be modified by act of the General Assembly and other sections may be modified by amendment to the Home Rule Charter.

As to the provisions of the Kephart Bill which may be modified by amendment to the Home Rule Charter:

Section 9 spells out the specific provisions which may be thus amended; namely, those provisions relating to:

1. Coroner.
2. Commissioner of Records.
3. Office of the City Treasurer.
4. Board of Inspectors of the County Prison.
5. The former functions of the County Commissioners relating to:

- (a) The Bureau of Weights and Measures.
- (b) Institutional care.
- (c) Construction and maintenance of certain buildings.
- (d) The payment of certain salaries.

Nothing else in the bill is subject to modification by amendment to the charter, but can only be modified or amended by act of the Legislature.

Some such provisions are as follows:

1. The office of Sheriff, all of whose present employees, although transferred under the Board of Judges, nevertheless having a superior who is a Democrat.

2. The office of Prothonotary—he now becomes the superior of the employees of the Clerk of Quarter Sessions and all of these employees are now under the jurisdiction of the courts and will not have civil service status. Therefore, they can continue political activity and can be dismissed at will.

3. The office of Register of Wills. This office now comes under the jurisdiction of the Judges of the Orphans' Court, the majority of whom are Republicans.

4. The functions heretofore performed by County Commissioners as the County Board of Elections. These functions are transferred to the Registration Commission.

5. The provision referring to the Board of Revision of Taxes the authority over the number, qualifications and compensation of the employees having been transferred to the Board of Judges. These employees can continue their political activity. The majority of the Board of Judges are Republicans.

6. The employees of the District Attorney—most of these employees, other than the Assistant District Attorneys, having been given civil service status under the Kephart Bill.

In short, Mr. President, the Kephart Bill is an out and out effort, and not a very subtle one, to deprive the voters of Philadelphia of the benefits and advantages they won in November, and to perpetuate a form of government they flatly rejected at the polls. The Kephart Bill should not become law—the people have already voted against it.

Eighteen years ago tonight Adolph Hitler had to destroy by fire the Parliament of the people's Republic of Germany, the Reichstag, to accomplish the diabolic principle of tyrannical action which Senator Kephart seeks here

tonight to accomplish not by storm troopers or firebrand, but by the implementation of despicable legislation action.

Mr. President, I for one say this, that when a minority does not have the proper tools to fight this type of tyranny in the Senate of Pennsylvania, excepting that we do have a Constitution which cannot be overridden arbitrarily by the will of the majority, I for one will take this type of action to indicate my thoughts on a matter such as this. I for one will vote against any non-preferred appropriation bill that may come before this Body from this day on, if the Majority Party in this Senate insists upon this type of damnable un-American political activity, and I ask my twenty colleagues on this side of the aisle to stand with me.

Now, Mr. President, what does that mean? It means that no preferred appropriation will be approved by the Senate of Pennsylvania by a two-thirds vote if my colleagues on the Democratic side of the aisle stand with me. So, I say, if that is the kind of legislation you intend to jam down the throats of the people of Philadelphia, of the minority Members of this Senate, then we or at least, I, will take the only whip at my disposal and absent myself from this chamber when the appropriation bills dealing with non-preferred expenditures are read, and we will see whether or not you can get by that one.

And the question recurring,

Will the Senate agree to the amendment?

Mr. ROSENFELD. Mr. President, I ask for a roll call.

Mr. HOLLAND. Mr. President, I ask for a roll call.

Mr. BYRNE. Mr. President, I ask for a roll call.

### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question of parliamentary inquiry.

Mr. WALKER. Mr. President, do I understand that the roll is now to be called on the amendment presented by the gentleman from Philadelphia, Senator Rosenfeld?

The PRESIDING OFFICER. For the information of the gentleman from Allegheny, we are now calling the roll on the amendment presented by the gentleman from Philadelphia, Senator Rosenfeld, to Section 1.

Mr. WALKER. Thank you very much, Mr. President. I am now ready for the roll call.

The PRESIDING OFFICER. The Clerk will call the roll.

(During the calling of the roll the following occurred:)

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. HOLLAND. Mr. President, I ask for a verification of the roll.

Mr. BYRNE. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,



The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Letzler,	Propert,	Walker,
Chapman,	Mahany,	Robinson,	Watkins,
Crowe,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.,	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
Kessler,	Peelor,	Wagner,	Presiding Officer

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: yeas 17, nays 27, and the amendment falls.

The yeas and nays were required by Mr. ROSENFELD and Mr. HOLLAND and Mr. BYRNE and were as follows, viz:

#### YEAS—17

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,

#### NAYS—27

Berger,	Letzler,	Propert,	Walker,
Chapman,	Mahany,	Robinson,	Watkins,
Crowe,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.,	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
Kessler,	Peelor,	Wagner,	Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. ROSENFELD offered the following amendment:

Amend Section 1 (a) Page 2, Line 2 by inserting between the word "to" and before the word "integrate" on said line the following "empower the City Council by ordinance to."

On the question,

Will the Senate agree to the amendment?

Mr. ROSENFELD. Mr. President, I think the Members of the Senate are now beginning to get an idea of what this bill is about, at least Section 1. This amendment is made necessary by reason of the fact that the Home Rule Charter, adopted by the citizens of the city of Philadelphia, provided in Section 1—102.2 on page 3, of this one hundred page charter as follows:

"Any additional executive and administrative power which may be conferred on the City by amendment of the constitution or laws of the Commonwealth of Pennsylvania shall be vested in and exercised by the Mayor and, so far as practicable, by the officers, departments, boards and commissions designated in this charter. The Council shall by ordinance distribute among such officers, boards and commission . . . the exercise of such powers and the performance of such duties."

Now, Mr. President, since the City Charter Commission, since the citizens of the city of Philadelphia envisaged the passage of the constitutional amendment and provided for

these additional powers and duties which are now granted by the adoption of the city-county consolidation amendment, there is, in effect, no necessity at all for the passage of Senate Bill No. 897. Since it appears, however, that the sponsor of this measure would prefer not to be guided by the desires of the citizens of the city, not to be guided by the provisions of the Home Rule Charter, which I hope he voted for but which I doubt, because the introduction of this bill would make it appear that he was against it and he is against it now, it becomes necessary, therefore, for me, since this bill is before us, to move for the adoption of this amendment.

Mr. President, The amendment simply provides that the city council of the city of Philadelphia, by ordinance, under the authority granted to it in this act, would be empowered to integrate the so-called former county offices into the city government in accordance with the provisions of the Home Rule Charter.

Mr. ROSENFELD. Mr. President, I would like to ask the Senator from Philadelphia, Senator Kephart, if he will permit himself to be interrogated.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. ROSENFELD. Senator Kephart, I would like to know whether you are familiar with the provisions of Section 1—102.2 of the new Home Rule Charter for Philadelphia?

Mr. KEPHART. I am, Mr. President.

Mr. ROSENFELD. Are you aware of the fact that that section provides for additional powers which may be conferred on the city by amendment of the Constitution?

Mr. KEPHART. Mr. President, I am aware of the section that provides that the Legislature can, by law, vest additional powers in city council.

Mr. ROSENFELD. Mr. President, I desire to further interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be further interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. ROSENFELD. Mr. President, I would like to know from the gentleman from Philadelphia, if he has page 3 of the charter before him, whether he understands the meaning of the first two lines of that section which provide that, "Any additional executive and administrative power which may be conferred on the City by amendment of the constitution or laws of the Commonwealth of Pennsylvania shall be vested in and exercised by the Mayor," etc.?

Mr. KEPHART. Mr. President, I understand what it means, yes.

Mr. ROSENFELD. Does the gentleman agree that this means that the city-county consolidation amendment was one of those which was intended to be included in that sentence?

Mr. KEPHART. Mr. President, I think the present bill, when acted into law, might be construed to come under that particular provision.

Mr. ROSENFELD. Mr. President, do I understand that the Senator agrees that this would give the city administration the right to integrate the former county offices?



Mr. KEPHART. Mr. President, I would not agree that it would give them the right to integrate the former county offices without implementation by an act of the Legislature, nor do I think the city of Philadelphia, by its charter, would let itself be hanging by its own bootstraps either. There are certain powers and duties in cities, and performed by counties, that are State powers. I would not agree, for instance, that the Home Rule Charter in Philadelphia could take over completely the office of the District Attorney, and say that he should be appointed by the Mayor. I say I think he is a State officer and must, of necessity, remain a State officer, and that we in Harrisburg, in the Legislature, should determine whether he shall be elected or appointed or how he shall be constituted.

Mr. ROSENFELD. Mr. President, I desire to further interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be further interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. ROSENFELD. Mr. President, I assume that the gentleman is familiar with the Constitution of the Commonwealth of Pennsylvania.

Mr. KEPHART. Mr. President to a certain extent.

Mr. ROSENFELD. Mr. President, let me be more specific. Is the gentleman familiar with that provision of the Constitution which sets forth the county office's and includes the office of District Attorney?

Mr. KEPHART. Mr. President, I would have to look at that list of office's. I think he is listed there as a county official.

Mr. ROSENFELD. Is the gentleman familiar with this city-county consolidation which provides for the abolition of county offices?

Mr. KEPHART. I am, Mr. President.

Mr. ROSENFELD. Mr. President, does the gentleman agree that the district attorney is one of those county officers abolished under this amendment?

Mr. KEPHART. Mr. President, that is true and that is why he is dealt with in this bill.

Mr. ROSENFELD. Don't you agree then that if he is now a city officer, that the city, under the powers set forth in the section referred to, could now provide for the future of that office?

Mr. KEPHART. I do not agree with that, Mr. President. I think that the constitution amendment would require some implementation to decide whether that should be changed or not, because the constitutional amendment says that the offices shall continue to be constituted and so forth as provided by law, and they meant by law, enacted by the General Assembly and not by the City Council.

Mr. ROSENFELD. Mr. President, I understand that the gentleman has indicated that these, or some of these, are not county offices but are State offices.

Mr. KEPHART. Mr. President, I said that the functions of the county were primarily to carry out what is really a State function. I do not think that the city-county consolidation amendment to the Constitution, for instance, would take away the right of the Attorney General to supersede the District Attorney. It is just inherent in government that the District Attorney's office and his functions are to enforce the State laws, and while he is

elected in Philadelphia, do not think Philadelphia should determine that he should be appointed, say, by the Mayor.

Mr. ROSENFELD. Mr. President, isn't it true that the Recorder of Deeds and other city offices operate in the performance of State laws, too?

Mr. KEPHART. Mr. President, that is true, but you would not say they were State offices. I think the function of the Recorder of Deeds can be properly delegated to the city government and that is what my bill does.

Mr. ROSENFELD. Mr. President, I would like to know whether the Senator is familiar with the history, at least the recent history, of the city-county consolidation?

Mr. KEPHART. Mr. President, I would say that I am.

Mr. ROSENFELD. And I would like to know from the gentleman whether it is not a fact that in all of the discussions with regard to city-county consolidation, that these constitutional county offices were intended to be merged and placed under the supervision of the City Council of the city of Philadelphia?

Mr. KEPHART. Mr. President, you mean to say by that that City Council, under the constitutional amendment, could determine who should be District Attorney and decide that they could elect a District Attorney?

Mr. ROSENFELD. No. I did not say that.

Mr. KEPHART. That is what I understand your question to be. If it is, I would say no.

Mr. ROSENFELD. Mr. President, I ask the gentleman whether it is not true that in all of the discussions with regard to city-county consolidation it was not intended to merge, under the jurisdiction of the city, these county constitutional offices, like Sheriff and Clerk of Quarter Sessions Court and all the other offices which are affected by this bill.

Mr. KEPHART. Mr. President, I do not believe that the amendment to the constitution went that far.

Mr. ROSENFELD. Mr. President, I thank the gentleman.

Mr. President, I do not believe there should be any question in anyone's mind what was intended, perhaps not by the Senator when he introduced this constitutional amendment two years ago, but I would suggest by almost everyone who is interested in this whole problem that it was intended that we would do away with these county offices, and the constitutional amendment very definitely states that it abolishes these county offices and it makes them city functions.

Mr. President, I cannot see how under the circumstances these offices can be placed under the supervision of the Board of Judges and out of the jurisdiction of the only city legislative body that we have, our city council. I do not see how this bill carries out that mandate, and on top of it I do not see how at this time this Legislature can act at all when the city of Philadelphia, by its Home Rule Charter, has already provided an orderly process to effectuate this integration into the city government.

Therefore, Mr. President. I ask my colleagues to vote in favor of this amendment.

Mr. STIEFEL. Mr. President, the dispersal of functions is most damaging to any system of government. As we are getting a little bit tired and it is proper to bolster up the spirits of the people, I just want to relate a story which is in point. In the good olden times when polygamy was still permitted, a man had two wives. The man was a middle-aged man, his black raven hair had already certain gray patches and he had two wives. One was young and beauti-



ful and the other wife was old, and he had to divide his attention between the two wives. One night he would spend with his beautiful young wife, and then she was concerned about the patches of his gray hair. So, she would pluck the gray hair, so he would look younger. When he came to the older wife, she would just reverse the process, pluck the raven hair, so that he would look older. So the story tells us that between the two women this man became baldheaded.

Now, Mr. President, this is what is going to happen through the dispersal of powers in Philadelphia. The people of Philadelphia will suffer. Any government that is not systematic, where the functions are not divided evenly, such a government is bound to fail, and for this reason I feel that the Senate of Pennsylvania is not going to lend assistance to this perfidious act. Just in passing I want to make this observation.

Mr. President, one of the greatest tragedies in the life of Pennsylvania is the attitude of deprecation and indifference which is often displayed towards the fate of Philadelphia. I say that if the people of Pennsylvania, through its Senators from up State, Republicans and Democrats alike, would make a thorough study of the shortcomings of the Philadelphia situation, they would never lend assistance to this measure. The time is at hand when you should take a greater interest in Philadelphia. Do not just brush it aside and say, "Another Philadelphia measure." Philadelphia is part of Pennsylvania and is to stay in Pennsylvania, and if such is the case, please do not disperse the powers of the Philadelphia Government because that will weaken it and whatever has been accomplished will be brought to naught.

Mr. LANE. Mr. President, I sometimes wonder whether we, as Members of the Senate of Pennsylvania, are not entirely out of our minds. Mr. President, I have sat here this evening and listened to the arguments pro and con on this piece of legislation. I find that Members of the Senate of Pennsylvania from cities of the second, third, fourth, fifth, sixth, seventh and eighth class, are passing on the organization of the government of this great city of Philadelphia. I sometimes wonder whether we are not taking on just a little more than what we should.

Mr. President, I understand that under the Constitution we have that responsibility, but I also say that if an amendment could be passed, legislation could be passed, which would confer these powers upon the city council, I think we would be doing a more intelligent job. In going over an analysis which was given to me here today, I observed that quite a number of the employees of the city of Philadelphia are going to be placed under the jurisdiction of the various judges of the Courts of Common Pleas and the various judges of the Orphans' Court in Philadelphia. The judges are going to have the power, are going to have the authority to pass upon their qualifications. They are also going to pass upon the number, and they are going to pass upon the emoluments which they might receive by virtue of these appointments.

Mr. President, it has always been my thought that those who have the responsibility of raising the revenue should most certainly have the right to supervise the expenditures. It seems to me that responsibility lies in city council. If that be the case, city council is placed in the position of giving a blank check to the Board of Judges to do as they see fit. For example, we do not know how

many men they are going to appoint because they have the power to appoint them. Now, how in the world can the good citizens of Philadelphia County be given an efficient government under provisions such as this, because if the courts are so minded, they can decide that where one hundred used to work, they can put on two hundred and city council is still to pay the bill?

Mr. President, I notice, too, under the provisions of the Kephart Bill that the District Attorney, who is the chief law enforcement and prosecuting officer in Philadelphia County, will only have the authority to appoint his assistant and his chief of county detectives. I believe that each and every Member here will agree that the office of District Attorney is, indeed, a very important office. I, for one, would not relish a position there for the simple reason that he will have no control. What can the District Attorney do?

I say to you, Mr. President, that as far as I am concerned, and I am speaking sincerely, what we should do is kill this bill. We should kill this bill because it is not going to give good government to Philadelphia. I know that the Members of the Senate here, who worked with me in the Committee on Local Government, have always taken the position that those who raise the revenue should control expenditures. As a matter of fact, Mr. President, we even established a salary board for that purpose. We established a salary board whereby in 1949 it consisted of the three county Commissioners, county Controller and the head of the department which wanted a salary set or a salary increase. We did that for the purpose of controlling expenditures, and now we are doing just the reverse.

Mr. President, I have heard arguments time and time again by some of the most eminent and most able members of the Republican Party in our Committee on Local Government argue the point that I am arguing here today. How in the world can the city organization, the city administration of Philadelphia, under the Kephart Bill, give the people a decent, honest administration? It cannot be done. It is virtually impossible because there is nothing they can do. They have no control over these employees.

Mr. President, I notice, furthermore, that a certain number of these employees in certain departments under Democratic control will be under civil service. The others, under the Board of Revision of Taxes, are not under civil service for the simple reason that they are going to participate in politics and attempt to hold the politicians and the organization together. I say, Mr. President, and I am talking to the rural Members here, we do not have the right to regulate the government of Philadelphia County.

Mr. SILVERT. Mr. President, Senator Kephart was interrogated by Senator Rosenfeld on Section 1—102 of the Charter, adopted on November 6. A reading of that section is rather convincing that the whole intent and purpose of consolidation was to give the power to the people of the city of Philadelphia, through their Council, to say what department should go where, and not to let those questions be settled here in the Legislature by men who come from all parts of the State and who are not keenly interested in the government of Philadelphia.

Mr. President, for the purpose of the record, I should like to read that section so it can be properly recorded.

Mr. President, I am reading into the record Section 1-102 of the Charter, adopted by the city of Philadelphia by an



over-whelming vote on November 6, 1951, just a bare five weeks ago.

"Section 1-102. Executive and Administrative Power.

"(1) The executive and administrative power of the City, as it now exists, shall be exclusively vested in and exercised by a Mayor and such other officers, departments, boards and commissions as are designated and authorized in this charter. The Mayor and other executive or administrative officers shall be elected or appointed as provided in this charter."

Now, Mr. President, I am referring to Section (2), which in the opinion of any reasonable man would indicate whom the people of Philadelphia wanted to allocate the various boards and departments. I am reading Section (2):

"Any additional executive and administrative power which may be conferred on the City by amendment of the Constitution or laws of the Commonwealth of Pennsylvania shall be vested in and exercised by the Mayor and, so far as practicable, by the officers, departments, boards and commissions designed in this charter. The Council shall by ordinance distribute among such officers, departments, boards and commissions such additional powers and duties, but to the extent that this is not practicable, it may create additional officers, boards and commissions for the exercise of such powers and performance of such duties and provide for the appointment of the additional officers or members of boards or commissions."

Mr. President, I think that a reading of this provision by any reasonable person should convince that person and the Members of this Senate that the people, on November 6, 1951, by ratifying this charter, had in mind that county departments are to be allocated after a thorough study by the council of our city and not by Members of this Senate or Legislature who may live anywhere from two to three hundred miles from the city of Philadelphia.

And the question recurring,

Will the Senate agree to the amendment?

Mr. LANE. Mr. President, I ask for a roll call.

Mr. ROSENFELD. Mr. President, I ask for a roll call

Mr. HOLLAND. Mr. President, I ask for a roll call.

### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question of parliamentary inquiry.

Mr. WALKER. Mr. President, do I understand that the roll call which has just been requested will be on the amendment which now has been presented by the gentleman from Philadelphia, Senator Rosenfeld?

The PRESIDING OFFICER. For the information of the Majority Leader the roll call will be on the amendment offered by the distinguished gentleman from Philadelphia, Senator Rosenfeld, an amendment to Section 1 of Senate Bill No. 897, Printer's No. 675.

Mr. WALKER. Thank you, Mr. President. I am now ready for the roll call.

The PRESIDING OFFICER. The Clerk will call the roll.

(During the calling of the roll the following occurred:)

Mr. BYRNE. Mr. President, I ask for a verification of the roll.

Mr. HOLLAND. Mr. President, I ask for a verification of the roll.

Mr. BARR. Mr. President, I ask for a verification of the roll.

Mr. McCREESH. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recored as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	DiSilvestro,	McCreesh,	Rosenfeld.
Barr,	Holland,	McGinnis,	Ruth.
Byrne,	Lane,	McMenamin,	Silvert.
Dent,	Leader,	Neff,	Stiefel.
			Yosko,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Mahany,	Robinson,	Watkins,
Chapman,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
Kessler,	Peelor,	Wagner,	Presiding Officer
Letzler,	Proport,	Walker,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: yeas 17, nays 26 and the amendment falls.

The yeas and nays were required by Mr. LANE and Mr. ROSENFELD and Mr. HOLLAND and were as follows, viz:

#### YEAS—17

Bane,	DiSilvestro,	McCreesh,	Rosenfeld.
Barr,	Holland,	McGinnis,	Ruth.
Byrne,	Lane,	McMenamin,	Silvert.
Dent,	Leader,	Neff,	Stiefel.
			Yosko,

#### NAYS—26

Berger,	Mahany,	Robinson,	Walker,
Chapman,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelor,	Wagner,	Hare,
Letzler,	Proport,		Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

MOTION THAT SENATE BILL No. 897 BE APPROVED

Mr. WALKER. Mr. President, I now move that Senate Bill No. 897, Printer's No. 675 be approved on Second Reading.

Mr. TAYLOR. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. ROSENFELD. Mr. President, I have some very interesting amendments to this bill which I think—I



heard some laughter, and if that is an indication of ridicule, I do not think it is decent at all. I have studied this problem very carefully. I have studied it more carefully or, at least, as carefully as any other Member of the Senate. This is a very serious thing not only to me, not only to the Senate, not only to the citizens of Philadelphia but to everybody in the State who is interested in decency. I do not think it comes with good grace that I should be prevented from introducing these amendments, which I have worked very hard to prepare and then be met with laughter when I get up to remonstrate that fact.

Mr. President, we have been here a long time—

The PRESIDING OFFICER. Will the gentleman yield for a moment? The Chair rules the motion out of order. We are now working on Section 1 of the bill.

Mr. WALKER. Now, Mr. President, I want to say, in answer to the gentleman from Philadelphia, that I am perfectly willing to cooperate with him to the best of my ability. I want to say, in all sincerity to the gentleman from Philadelphia, that there is an old maxim in equity about coming in with clean hands, and I want to say very frankly to him that in my opinion the amendments are being offered for one single purpose, and that is the purpose of delay, delay, delay.

Mr. President, the gentleman has had two or three amendments which he has presented already to Section 1 of this bill. Upon inquiry, the gentleman advises me that he has about forty more amendments. Now, Mr. President, I am assuming that these amendments were offered to the bill when the bill was in committee, and it is obvious that the committee did not approve the amendments but, of course, that does not bar the gentleman from Philadelphia from presenting the amendments on the floor.

Mr. President, this is one of the most unique proceedings I have every witnessed in all the years I have been in this Senate. We sat here tonight and permitted the gentleman from Philadelphia to debate this bill on Second Reading under the guise of offering amendments. Mr. President, with some difficulty I have persuaded my colleague, Senator Kephart, not to debate the bill on Second Reading because it is proper, under our Senate Rules, to debate the bill on Third Reading and Final Passage. It has been difficult for the gentleman from Philadelphia, Mr. Kephart, to explain to his colleagues on this side of the aisle that a lot of the statements which are being made by the opponents of this bill could be answered by him, if he were given the opportunity. Two wrongs do not make a right, Mr. President, and it is wrong for either the Minority or the opponents of this bill, or the proponents of this bill, to debate the bill on Second Reading. I think the gentlemen of the Senate should thoroughly understand that we are not trying to gag you. We are not trying to bar the presentation of these amendments by Senator Rosenfeld, but, Mr. President, I think all of the fifty Members of this Senate should be seriously interested in upholding the Rules of the Senate and dignity of this Senate. When we have a rule that bills are debated not on Second Reading but on Third Reading, we, as Members of the Senate, should adhere to that rule.

Now, Mr. President, under no circumstances would I

want to gag the gentleman from Philadelphia or any other Member of this Senate. I am perfectly willing to sit this out and let the gentleman present his amendments, but I point out again to this Senate that the amendments that his presenting deliberately for delay and not with any idea that he is going to mold this bill nearer to his heart's desire.

Mr. DENT. Mr. President, I find no rule in the Senate that forbids debate on any reading of a bill. I think that over the years there have been as many bills, as the Members of the Senate desired, debated on Second Reading. However, the most important question here is this. I understand that many times if a bill, a law, is taken to the higher courts for adjudication, that the intent of the legislature oftentimes becomes the basis for the decision or for the deliberations prior to the decision of the court.

Mr. President, as I understand it, the purpose of these amendments is to show to the higher court, in the event that this bill goes to the court of appeals, that the Legislature, at least some Members of the Legislature, had in mind certain amendments to correct some of the particular phases of this legislation that may have to be adjudicated by the higher court. If the amendments are not presented and the case goes before the court, the court can rightfully ask, "If you desired this change in the law, why not this change presented to the General Assembly?" Whether the General Assembly passes the changes or not is one question, but whether certain Members of the Legislature feel that certain changes are needed in the act is another question.

Mr. President we believe from the discussions given and the explanations given us by the gentleman from Philadelphia, Senator Rosenfeld, that these amendments are amendments which he would desire for the people of Philadelphia, that in his opinion would correct certain evils as he sees them in the legislation. We must get them, at least, on the record as having been presented in order that we know just what the gentleman from Philadelphia has in mind. We all, and I want to thank the Majority for that, that the Majority can by a simple procedure eliminate any discussion which is out of latitude, but in so far as putting in the amendments, I would say that that is the prerogative of any Member of the Senate.

I agree with the Chair that the only thing before us is that section of the bill which is being read, and the bill must be read by sections. We have not asked that each section be read at length. We are allowing the bill to be read in its normal processes. However, when that section comes up and there is a desire to amend, at least the amendment must be presented and a vote cast on it. That is all. We are not asking for a roll call just to be capricious. We are asking for a roll call for a specific purpose. We feel that this legislation must run the gamut of all the courts of the land, if necessary, to show whether or not this Legislature can thwart the will of the people.

Mr. WALKER. Mr. President, I appreciate the comments of the gentleman from Westmoreland, and again I would like to suggest, and I say this in all sincerity, if the gentleman from Philadelphia, Senator Rosenfeld, has additional amendments to Section 1, that he follow the prescribed or the customary practice in the Senate of presenting all of his amendments to Section 1 so that



they can be read and acted upon. I want to say to the gentleman from Westmoreland, as to the recourse of the courts in determining the will of the Legislature, I am very happy to get the information as to how they decide that. I have often wondered that myself.

Mr. ROSENFELD. Mr. President, may I suggest to the Senator from Allegheny, Mr. Walker that I have no more amendments to Section 1, but it is impossible for me to limit my amendments to any of the other sections in the act, because they could not possibly read right. Therefore, with each office covered by each section it becomes necessary for me to introduce a separate amendment, because each one is a separate and different idea. That is why I would have to do it piecemeal, section by section, sometimes once, sometimes twice, sometimes three times, sometimes not at all. I am frank to say I do not have amendments to all the sections.

### MOTION TO ADJOURN

Mr. HOLLAND. Mr. President, I move that the Senate do now adjourn until Friday, December 14, 1951, at 11 o'clock, a. m. Eastern Standard Time.

Mr. MCCREESH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I ask for a roll call.

Mr. BYRNE. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. The Clerk will call the roll. (During the calling of the roll the following occurred:)

Mr. BYRNE. Mr. President, I ask for a verification of the roll.

Mr. ROSENFELD. Mr. President, I ask for a verification of the roll

Mr. MCGINNIS. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Diehm,	Leader,	Neff,	Stiefel,
			Yosko,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.,	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelot,	Wagner,	Hare,
Letzler,	Probert,	Walker,	Presiding Officer
Mahanay,	Robinson,		

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the motion: ayes 17, nays 25, and the motion falls.

The yeas and nays were required by Mr. HOLLAND and Mr. BYRNE and Mr. LANE and were as follows, viz.

### YEAS—17

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,

### NAYS—25

Berger,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.,	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelot,	Wagner,	Hare,
Letzler,	Probert,	Walker,	Presiding Officer
Mahanay,	Robinson,		

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. ROSENFELD offered the following amendments:

Amend Section 2 (a), Page 3 by striking out the following words on line 11 "by the Judges of the several" and all of lines 12 to 19 inclusive and inserting in lieu thereof the following: "elected or the office abolished and the appointment qualifications and compensation of such employees as may be needed to perform the duties of said office shall all be as provided by ordinance of the City Council elected at the 1951 Municipal election;" amend Section 2, Page 4, line 1 by striking out all of said line.

On the question,

Will the Senate agree to the amendments?

Mr. ROSENFELD. Mr. President, I would like to state for the benefit of the Members of the Senate that this Section 2. (a) deals with, I suppose I could call it the disposition of the office of sheriff, formerly the Sheriff of Philadelphia County, now the Sheriff of the city of Philadelphia.

Mr. President, again for the benefit of the Members of this Body, I would like to point out that this is the first office taken care of by Senator Kephart in the so-called consolidation bill, and I think you will gather, when I read just two sentences from that section, that it is neither consolidation nor is it home rule.

Mr. President, Section 2(a) reads, among other things: "The Sheriff shall be appointed by the Judges of the several Court of Common Pleas of Philadelphia sitting as a board." This is supposed to be consolidation.

Mr. President and Members of the Senate, for the last seventy-five years, at least in the city of Philadelphia, the citizens of the city of Philadelphia elected a sheriff. At least they had that much to say over who was going to be their sheriff. We thought, perhaps, it was bad, maybe it was not necessary, to have so many county offices elected, and so we thought if we made it a city office that something could be done about it. We thought maybe the office could be abolished. All of those things were discussed. Now, along comes the sponsor of this bill, and by this measure revokes further the right of the citizens



of this city to elect a sheriff, removes him further from the jurisdiction of the City Council and places him under the jurisdiction of the Board of Judges. I do not want to go into too much detail now, and I think you have heard it already from other speakers about what this will do to the Board of Judges in Philadelphia. That, Mr. President, is what the sponsor of this bill considers consolidation. Mr. President, what else does this bill say? It says, "The compensation of the Sheriff shall continue to be that provided by statute." Now, that I assume is supposed to be home rule. Statute can only be one thing, a law of this General Assembly, and if this General Assembly decides that the Sheriff of the city of Philadelphia should be paid \$50,000 a year, whether our council has it to pay him or not, does not make a bit of difference, but this Body is going to decide what the sheriff in our city is to be paid, whatever that amount is. Don't you gentlemen feel that we, in the city of Philadelphia, can determine such a simple question for ourselves? We determine the salaries for so many of our city officials, why is it that for the office of sheriff we do not have enough simple common sense to determine what he should be paid? Maybe the amount you decide will be too little, maybe there should not be a Sheriff in the city of Philadelphia, maybe we should abolish him.

Mr. President, again I repeat, I do not see how in the world anybody can get up on the floor of this Senate and defend this as a decent consolidation, as consolidation of any kind or as home rule. I would ask that the Members of this Body approve my amendment, which would provide that the sheriff would be either appointed or elected, or even abolished, when the City Council of Philadelphia examines it and decides what the will of the people of the city of Philadelphia is with regard to this question.

Mr. KEPHART. Mr. President, in answer to the gentleman from Philadelphia, Senator Rosenfeld, I would like to explain this section of the bill which has that provision in it.

Mr. President, at the hearing before the Joint State Government Commission, it was Mr. Dilworth who made all the directives and statements as to what the Democratic Party would do. At the hearing the other day, and assuming the leadership of the Democratic Party in Philadelphia, he said under oath, "Every group here today will agree that the elective officers should be confined to those." He agreed that, "At the most the elective officers should be the Mayor, the Council, the District Attorney and the Controller. I do not think there is any group that appeared here today, or will appear here today, that wants any other officers elected."

Now, Mr. President, we are attempting to carry out the mandate of the civic groups in that connection, because we are having the sheriff not elected, and if he is not to be elected then the only other alternative is that he must be appointed. The question then recurs, by whom will he be appointed? His primary functions are to serve writs, conduct sheriff's sales and otherwise execute the orders of the Court. He has practically no police duties in Philadelphia because there is a separate department under the Home Rule Charter to handle police matters.

Mr. President, Section 1-102 of the Home Rule Charter

says, "In the case of new officers whose primary duties are to assist the courts, the appointive power may be vested in the judges thereof." We are only doing what is the most logical and obvious thing to do with the sheriff. In fact, it is the only thing I can see to do. We cannot abolish the duty of serving writs, we cannot abolish sheriff's sales. Somebody must do the court's functions, and the only place to put him is under the court.

Mr. ROSENFELD. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. ROSENFELD. Mr. President, I have noted on two or three occasions now that the Senator from Philadelphia is making reference to some notes where he quotes Mr. Dilworth and Mr. Clark. I would like to know whether the Senator feels that Mr. Dilworth and Mr. Clark are speaking for all of the citizens of the city of Philadelphia.

Mr. KEPHART. Mr. President, Mr. Dilworth and Mr. Clark and Mr. Finnegan all attended the hearing and all agreed that these things should be done. They said that they represented all the civic groups in Philadelphia, and that all the civic groups were agreed that these things should be done. I think there is no better cross-section of what the citizens of Philadelphia want than what these civic groups have asked, and what we have given them by giving them a Home Rule Charter, a consolidation amendment and by what we are now giving them in actually carrying out the final step of consolidation in the city of Philadelphia.

Mr. ROSENFELD. Mr. President, I would like to know whether the paper book record, or whatever it is, from which the Senator is quoting, I would like to know whether those hearings took place prior to the passage of the Home Rule Act in the city of Philadelphia?

Mr. KEPHART. They did, Mr. President, but the framework of the city-county consolidation is what was being discussed at the hearing, and at that time they were asking for legislative action to consolidate certain things, and telling us what they wanted in Philadelphia and why it was necessary to have the consolidation amendments so that the legal obstacles of consolidation could be removed and the Legislature then go this last step and give Philadelphia consolidation. These excerpts which I have been reading appear in Volume 6 of the Senate Journal for the year 1949.

Mr. ROSENFELD. Mr. President, would the gentleman be willing to quote the attitude of those gentlemen today with regard to this problem?

Mr. KEPHART. Well, Mr. President, I would have to let the gentlemen speak for themselves. I am sure that some of them, like Mr. Dilworth, will change their minds with the change of the wind.

Mr. ROSENFELD. Mr. President, I would like to know whether in this bill the gentleman does not provide that the office of County Commissioners shall be abolished and its duties transferred to the Registration Commission, that is, its election duties?

Mr. KEPHART. Mr. President, that is not included in



this amendment or section which he is attempting to amend. I would be very glad to debate that any time he wants to, and now if he insists on it.

Mr. ROSENFELD. Mr. President, I am not debating it. I would just like an answer to it, Mr. President. I would like the answer to that one question. Does not this bill at the present time provide for the transfer of the election duties of the County Commissioners to the Registration Commission, just yes or no?

Mr. KEPHART. Well, Mr. President, the question is a rhetorical question and—

Mr. ROSENFELD. Mr. President, either it does or does not.

Mr. KEPHART. Mr. President, it is answered. He can read the bill just as well as I can, and the answer is obvious that it does, and it does so to carry out what the people in Philadelphia and what the Democratic Party have advocated for some time in the past.

Mr. President, I could read sections of the same hearing where they advocated that, and here is an editorial from the December 7, 1951 Evening Bulletin, a most reputable newspaper in Philadelphia, advocating the same plan. I can also read you an editorial from another reputable newspaper in Philadelphia, namely the Philadelphia Inquirer, also advocating exactly the same thing.

Mr. ROSENFELD. Mr. President, I would merely want to point out that two years ago the Senator was anxious to transfer the duties of the Registration Commission to the County Commissioners, and he now has changed his mind.

Mr. DENT. Mr. President, the Minority Leader from the House has asked me if we could take a five-minute recess for a very important decision. We would like to have the Members of the Democratic Caucus meet back here in the council chambers for just five minutes at the most. We have to decide something.

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendments?

Mr. SILVERT. Mr. President, in accordance with the ruling made by the Chair, I shall confine my remarks solely to the section that is about to be voted on for amendment.

Mr. President, I think that this Section 2 (a) is probably the first tip-off why the Republican organization was so anxious to pass this bill so quickly. It deals with the question of sheriff and assigns the power of appointment to the Common Pleas Judges of the city of Philadelphia. I was just wondering, could it be possible that Senator Kephart's bill so provides because the majority of the Common Pleas Judges in the city of Philadelphia are Republicans.

Mr. President, I said before and I say it now that if our Common Pleas Judges were polled on the question as to what they think of this 2 (a) provision, I am rather certain that there would be a unanimous vote, "Please, Members of this Senate, do not put us into politics."

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. ROSENFELD. Mr. President, I ask for a roll call.

Mr. BYRNE. Mr. President, I ask for a roll call.

## PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question of parliamentary inquiry.

Mr. WALKER. Mr. President, do I understand that the roll call that has just been requested is a roll call on the amendments presented by the gentleman from Philadelphia, Senator Rosenfeld?

The PRESIDING OFFICER. For the information of the Majority Leader, the request for a roll call is on the amendments offered by the distinguished gentleman from Philadelphia, Senator Rosenfeld, to Section 2 of Senate Bill No. 987.

Mr. WALKER. Mr. President, I am now ready for the roll call.

(During the calling of the roll the following occurred:)

Mr. BYRNE. Mr. President, I ask for a verification of the roll.

Mr. ROSENFELD. Mr. President, I ask for a verification of the roll.

Mr. McCREESH. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	DiSilvestro,	McCreesh,	Silvert,
Barr,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Rosenfeld,	Yosko,
Dent,	Leader,	Ruth,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Mahanay,	Robinson,	Watkins,
Chapman,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
Kessler,	Peelor,	Wagner,	Presiding Officer
Letzler,	Probert,	Walker,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: yeas 15, nays 26, and the amendments fall.

The yeas and nays were required by Mr. BARR and Mr. ROSENFELD and Mr. BYRNE and were as follows, viz:

### YEAS—15

Bane,	DiSilvestro,	McCreesh,	Silvert,
Barr,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Rosenfeld,	Yosko,
Dent,	Leader,	Ruth,	

### NAYS—26

Berger,	Mahanay,	Robinson,	Walker,
Chapman,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.	Stevenson,	Watson,



Freed, Kephart, Kessler, Letzler,	Meade, Pechan, Peelor, Probert,	Taylor, Wade, Wagner,	Wolfe, Wood, Hare, Presiding Officer
--	--	-----------------------------	---

So the question was determined in the negative.  
And the question recurring,  
Will the Senate agree to the section?

### PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Westmoreland, Mr. Dent, will state his question of parliamentary inquiry.

Mr. DENT. Mr. President, it is now ten minutes past twelve. We have entered a new day. Can this Senate at this time vote on the Calendar of the previous day?

The PRESIDING OFFICER. For the information of the gentleman from Westmoreland, the Chair rules that this is still a legislative day. We have not adjourned.

Mr. DENT. Mr. President, it is my understanding then that the time on the face of the clock in the halls of the Senate at this time, registering thirteen minutes after twelve, is not recognized as the time of day.

The PRESIDING OFFICER. For the information of the gentleman from Westmoreland, it is not.

Mr. DENT. Mr. President, will the Chair tell the Senate what day it is and what time it might be of that day?

The PRESIDING OFFICER. For the information of the gentleman from Westmoreland it is Thursday, before midnight.

Mr. DENT. Mr. President, what time of the day?

The PRESIDING OFFICER. Before midnight.

Mr. DENT. Mr. President, I do not want any—

The PRESIDING OFFICER. For the information of the gentleman from Westmoreland, the Chair has full knowledge of the fact that Senator Neff pushed the clock ahead.

Mr. DENT. We have full knowledge, Mr. President, of the fact that a Sergeant-at-Arms in the Senate has been pushing the clock back but, Mr. President, that is not the question I want for the record. I would like to have the Chair tell us at this moment what time of the day it is. These are important questions.

The PRESIDING OFFICER. It is before midnight on Thursday, December 13.

Mr. DENT, Mr. President, in answer to the question I asked, the Chair has said that it is before midnight, Thursday.

The PRESIDING OFFICER. That is correct.

Mr. DENT. Then, Mr. President, am I to understand that the time now registered on the face of that clock is not recognized in the Senate Chamber as being the right time of day?

The PRESIDING OFFICER. The gentleman is correct. The clock will be immediately returned to the time from whence Senator Neff advanced it.

Mr. DENT. Yes, Mr. President, we took the time and the picture.

The PRESIDING OFFICER. The Sergeant-at-Arms will carry out the instructions of the Chair.

Mr. DENT. Mr. President, might I suggest at this time on my question of parliamentary inquiry—

The PRESIDING OFFICER. The Sergeant-at-Arms will

return the clock to the point from whence Senator Neff advanced it.

Mr. DENT. Mr. President, it is my understanding that the Chair says that the time is now, when the Sergeant-at-Arms is through turning it, sixteen minutes until eleven of Thursday.

The PRESIDING OFFICER. It is before midnight on Thursday, December 13.

Mr. WALKER. Mr. President, I want to suggest to the gentleman from Westmoreland, if he will take a look at the rules and the decisions which are in the pamphlet and in the Pennsylvania Manual, he will find that this question has been presented to the General Assembly on prior occasions, and the ruling of the Presiding Officer in each instance has been that the legislative day would continue until that legislative body adjourns for that day. Therefore Mr. President, the question of whether a proponent of a bill turns the clock forward or backward, or whether an opponent of a bill turns the clock forward or backward, is immaterial for legislative purposes. It is still Thursday, December 13.

Mr. NEFF. Mr. President, may I interrogate the Majority Leader?

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. NEFF. Mr. President, I understood the Majority Leader to say that a legislative day does not end until the Session is adjourned, and it makes no difference whether a proponent or opponent turns the clock forward or backward I am wondering why the Chair ordered the Sergeant-at-Arms, at the request of the Majority Leader, to turn the clock back just a moment ago?

Mr. WALKER. Mr. President, may I say I cannot anticipate as to why the Chair did it. May I say to Senator Neff it was not upon the suggestion of the Majority Leader, and may I say further in answer to the gentleman's question, ever since I have been in this Senate, knowing that these rules and these rulings have been on the books for years, I have often wondered why the two branches, the House and the Senate, went through this business of continuing to turn the clocks back as though that were the governing factor. Under the rules, it is not strictly the governing factor. It is still a legislative day until the legislative body adjourns.

Mr. NEFF. Thank you, Senator Walker.

### PARLIAMENTARY INQUIRY

Mr. NEFF. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Lawrence, Mr. Neff, will state his question of parliamentary inquiry.

Mr. NEFF. Mr. President, why did you order the Sergeant-at-Arms to turn the clock back?

The PRESIDING OFFICER. The ruling of the Chair at the time was an instruction to the Sergeant-at-Arms to return the hand of the clock from whence it had been advanced and before midnight, to indicate that the legislative day had not yet ended.

### POINT OF ORDER

Mr. NEFF. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Lawrence, Mr. Neff, will state his point of order.

Mr. NEFF. Mr. President, Senator Walker stated that the rules provide that a legislative day is not ended until the Senate adjourns. Now, I am wondering whether or not the rules of the Senate supersede the Constitution of the State.

The PRESIDING OFFICER. They do not.

Mr. NEFF. Mr. President, I would like to read for the record then the Act of April 13, 1887, P. L. 21, as last amended by the Act of May 3, 1923, P. L. 129, which makes Eastern Standard Time the only lawful time in Pennsylvania. Article 3, Section 4, of the Constitution, provides every bill shall be read at length on three different days in each house. The act setting up Eastern Standard Time as the legal time in Pennsylvania states that all days shall everywhere be taken to begin and end in accordance with said standard. This means simply the day is from midnight to midnight. If the clock is obviously wrong, it can be corrected, and so I will challenge the President of the Senate, as I do now, to call a recess for the purpose of appointing a committee of three to call Western Union for the purpose of ascertaining the correct Eastern Standard Time.

The PRESIDING OFFICER. The ruling of the Chair has been stated, and the gentleman is out of order.

#### APPEAL FROM RULING OF THE CHAIR

Mr. NEFF. Mr. President, I appeal from the ruling of the Chair.

The PRESIDING OFFICER. The question is 'an appeal from the ruling of the Chair.

#### PARLIAMENTARY INQUIRY

Mr. BARR. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Barr, will state his question of parliamentary inquiry.

Mr. BARR. Mr. President, is it not true that we have to make this in writing? Is that the ruling of the Chair?

The PRESIDING OFFICER. No one asked that the appeal be placed in writing.

Mr. BARR. Mr. President, according to parliamentary procedure, on an appeal from the ruling of the Chair, the Presiding Officer must step down.

Mr. WALKER. Mr. President, may I very respectfully suggest that it is my recollection, under the rules, that an appeal having been made from the ruling of the Chair, the Presiding Officer must relinquish the gavel of authority to one of his colleagues until the matter has been determined by the Senate.

The PRESIDING OFFICER. The rule is, Senator Walker, that he may, and if that is the desire of the requester, I will be very happy to oblige.

The Chair at this time calls to the rostrum Senator Wade, of Cumberland, to preside during the appeal from the ruling of the Chair.

Mr. BARR. Mr. President, I know that Senator Wade will get there on time, but I do not think, if President pro tempore is in the Senate, that the Presiding Officer can call Senator Wade to the Chair. I think that Senator

Taylor must get in the Chair and appoint a Presiding Officer.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. I directed Senator Hare to make that announcement.

The PRESIDING OFFICER (George N. Wade) in the Chair.

Mr. WADE. For the information of the gentlemen of the Senate, the President pro tempore has requested me to announce that he has directed me to take the Chair.

On the question,

Shall the ruling of the Chair be sustained?

Mr. BARR. Mr. President, I would like to have the exact wording of the ruling of the Chair read to the Senate, so that we know exactly what we are voting on.

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

(Reporter read to Senate the ruling of the Chair.)

And the question recurring,

Shall the ruling of the Chair be sustained?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. NEFF. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. The Clerk will call the roll.

(During the calling of the roll the following occurred:)

Mr. BARR. Mr. President, before the roll is verified, I have one question about the roll call.

The PRESIDING OFFICER. The gentleman will state his question.

Mr. BARR. Mr. President, I would like to know how the gentleman who made the ruling, if he voted on this motion, Senator Hare, how he is recorded as voting?

Mr. HARE. For the information of the Chair, I voted "aye" as a Member of the Senate.

Mr. BARR. Mr. President, I challenge the right of the gentleman from Somerset, Senator Hare, to vote on the decision that he made when occupying the Chair.

The PRESIDING OFFICER. The Chair rules he can vote on the question before the Senate as a Member of this Body.

Mr. BARR. I appeal from the ruling of the Chair, Mr. President.

The PRESIDING OFFICER. There is nothing but the roll call before the Senate.

Mr. BARR. Mr. President, there has been intervening business, and I now appeal from the decision of the Chair on Senator Hare's vote.

The PRESIDING OFFICER. The Chair rules that there is nothing before the Senate except the roll call and the results of the roll call.

Mr. BARR. Mr. President, an appeal from the decision of the Chair is always before the Senate and proper. If the Secretary of the Senate will look it up, he can tell you that I am right.

The PRESIDING OFFICER. The Chair rules that that question will have to be decided after the roll call on the first appeal from the decision and on the question.

Mr. NEFF. Mr. President, I ask for a verification of the roll.

Mr. BARR. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to



have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

Berger, Chapman, Fleming, Freed, Hare, Kephart, Kessler,	Letzler, Mahany, Mallery, McPherson, Jr., Meade, Pechan, Peelor,	Propert, Robinson, Snowden, Stevenson, Taylor, Wagner,	Walker, Watkins, Watson, Wolfe, Wood, Wade, Presiding Officer
--	--	---	---

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane, Barr, Byrne, Dent, DiSilvestro,	Holland, Lane, Leader, McCreesh,	McGinnis, McMenamin, Neff, Rosenfeld,	Ruth, Silvert, Stiefel, Yosko,
---	---	--	---

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: ayes 26, nays 17. The ruling of the Chair has been sustained and an appeal denied.

The yeas and nays were required by Mr. BARR and Mr. NEFF and were as follows, viz:

YEAS—26

Berger, Chapman, Fleming, Freed, Hare, Kephart, Kessler,	Letzler, Mahany, Mallery, McPherson, Jr., Meade, Pechan, Peelor,	Propert, Robinson, Snowden, Stevenson, Taylor, Wagner, Walker,	Watkins, Watson, Wolfe, Wood, Wade, Presiding Officer
--	--	--	--

NAYS—17

Bane, Barr, Byrne, Dent,	DiSilvestro, Holland, Lane, Leader,	McCreesh, McGinnis, McMenamin, Neff,	Rosenfeld, Ruth, Silvert, Stiefel, Yosko,
-----------------------------------	--	---	---

So the question was determined in the affirmative.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

APPEAL FROM RULING OF THE CHAIR

Mr. BARR. Mr. President, I wish to appeal from the decision of the Presiding Officer, Senator Wade, when he ruled it was proper for Senator Hare to vote when he, Senator Hare, was presiding and made a decision which was appealed.

Mr. NEFF. I second the motion, Mr. President.

Mr. DENT. I second the motion, Mr. President.

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

The PRESIDING OFFICER. The Senate will be in order. The question is on the appeal from the Chair's ruling on the propriety of Senator Hare voting on the question of an appeal while presiding.

On the question,

Shall the ruling of the Chair be sustained?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. NEFF. Mr. President, I ask for a roll call.

Mr. ROSENFELD. Mr. President, I ask for a roll call.

PARLIAMENTARY INQUIRY

Mr. ROSENFELD. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Rosenfeld, will state his question of parliamentary inquiry.

Mr. ROSENFELD. Mr. President, I am wondering since the real subject matter, the real subject of this question is Senator Hare, whether Senator Hare has a right to be on the rostrum.

The PRESIDING OFFICER. The point of parliamentary inquiry is not well taken.

Mr. ROSENFELD. Mr. President, I am afraid I will have to appeal from the ruling of the Chair.

The PRESIDING OFFICER. There is one appeal pending now, but if the gentleman from Philadelphia—

Mr. ROSENFELD. Mr. President, I will reserve mine until later.

The PRESIDING OFFICER. The Chair thanks the gentleman from Philadelphia, Mr. Rosenfeld.

The question before the Senate is the question on the ruling of the Chair.

The Clerk will call the roll. (During the calling of the roll the following occurred:)

Mr. WADE. Mr. President, because of the nature of the question, I feel that I should not be recorded as voting.

The PRESIDING OFFICER. The gentleman from Cumberland, Mr. Wade, will not be recorded as voting. (The Clerk continued to call the roll.)

Mr. NEFF. Mr. President, I ask for a verification of the roll.

Mr. BARR. Mr. President, I ask for a verification of the roll.

Mr. DENT. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger, Chapman, Fleming, Freed, Kephart, Kessler, Letzler,	Mahany, Mallery, McPherson, Jr., Meade, Pechan, Peelor, Propert,	Robinson, Snowden, Stevenson, Taylor, Wagner, Walker,	Watkins, Watson, Wolfe, Wood, Hare, Presiding Officer
---	--	--	--

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane, Barr, Byrne, Dent, DiSilvestro,	Holland, Lane, Leader, McCreesh,	McGinnis, McMenamin, Neff, Rosenfeld,	Ruth, Silvert, Stiefel, Yosko,
---	---	--	---

The PRESIDING OFFICER. Are there any correction? The Chair hears none. The negative roll will stand as verified.

The vote on the question: ayes 25, nays 17, with 1 vot-

ing present. The ruling of the Chair has been sustained and an appeal denied.

The yeas and nays were required by Mr. BARR and Mr. NEFF and Mr. ROSENFELD and were as follows: viz:

## YEAS—25

Berger,	Mahanay,	Robinson,	Watkins,
Chapman,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wagner,	Hare,
Kessler,	Peelor,	Walker,	Presiding Officer
Letzler,	Propert,		

## NAYS—17

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,

## PRESENT—1

Wade.

So the question was determined in the affirmative.

## APPEAL FROM THE RULING OF THE CHAIR

Mr. ROSENFELD. Mr. President, I question the right of the Chair to assume the rostrum in connection with this roll call, and I appeal your decision.

## POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, the gentleman from Philadelphia just appealed the decision which bears upon whether or not the Chair can call a roll on an appeal from the decision of the gentleman from Cumberland, Senator Wade. I submit, Mr. President, that the gentleman's point of order on the appeal is not well taken.

The PRESIDING OFFICER. The Chair so rules.

Mr. MAHANY. Mr. President, I have a great respect for the integrity of the Members of this Senate. I think we have all been congenial so far this Session. I came quite a distance to get down here and I hope that the Members of the Senate will not continue this line any further.

Mr. President, I am interested in this bill, I would like to vote intelligently on it and I respectfully ask that we get back on the track and discuss this bill as we should do like real men.

Mr. ROSENFELD. Mr. President, I am very much in sympathy with the remarks of my colleague, Senator Mahany, and I must assume, as he states, that he is interested. We, on this side of the house, think this bill is very very important, but at the same time, knowing full well that there are twenty-six Members on the other side of the house, we feel a little bit frustrated that not one of those Senators who continue to vote constantly against each amendment and continue to vote constantly in favor of each section of the bill, has the slightest desire to get up to talk about the merits of the bill.

Now, Mr. President, we would be glad to discuss it with them. We do not care how long it takes, but we think if they are that interested then they owe themselves and the Senate the obligation to really let us know how they feel about each of these provisions.

Mr. WALKER. Mr. President, may I say to the gentleman from Philadelphia, I think it has been said here a couple times this evening, that we have every intention of discussing this bill, section by section when the bill is before this Senate for Third Reading and Final Passage, as has been the practice in the Senate, and the gentleman has been advised of that a couple of times. I assured the gentleman we will be glad to debate the bill with him at that time. At this time, I think there is nothing before the Senate except the amendments being presented by the Senator from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. The gentleman from Allegheny is quite right. The question before the Senate is on the amendments being presented by Senator Rosenfeld to Section 2 (a), of Senate Bill No. 897.

Mr. HOLLAND. Question of parliamentary inquiry.

Mr. WALKER. Mr. President, I thought I had the floor.

The PRESIDING OFFICER. The gentleman from Allegheny, Senator Walker, has the floor.

Mr. WALKER. Mr. President, may I ask the gentleman to refrain from interrupting me? Now, Mr. President, with regard to Section 2—

Mr. HOLLAND. Mr. President, will the gentleman from Allegheny, Senator Walker, kindly yield?

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Holland, is entirely out of order.

Mr. HOLLAND. Mr. President, I appeal from the decision of the Chair.

## PREVIOUS QUESTION

Mr. WALKER. Mr. President, I move the previous question on Section 2 of Senate Bill No. 897.

Mr. KEPHART. I second the motion, Mr. President.

Mr. BERGER. I second the motion, Mr. President.

The PRESIDING OFFICER. The previous question will now be put. The question is on the motion.

Mr. BARR. Mr. President, there is an appeal from your decision.

The PRESIDING OFFICER. The gentleman is out of order.

Mr. WALKER. Mr. President, I called for the previous question, and it has been seconded.

Mr. NEFF. Mr. President, an appeal from the decision of the Chair has been made by the gentleman from Allegheny, Senator Holland, and he deserves to be heard.

The PRESIDING OFFICER. The gentleman from Lawrence is out of order.

Mr. NEFF. Mr. President, there has been an appeal from the decision of the Chair made by the gentleman from Allegheny, Senator Holland, and he deserves to be heard under the rules of the Senate.

The PRESIDING OFFICER. The Chair has ruled the gentleman out of order.

## POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, I have moved the previous question, and it has been seconded. I submit, Mr. President, there is nothing before the Senate but the adoption of Section 2.



## PERSONAL PRIVILEGE

Mr. NEFF. Mr. President, I rise on a question of personal privilege.

Mr. WALKER. I submit, Mr. President, the gentleman is out of order. There is nothing before the Senate but the adoption of Section 2.

The PRESIDING OFFICER. The Senate will be in order.

Mr. NEFF. Mr. President, under a question of personal privilege—

The PRESIDING OFFICER. Will the Senators please take their seats?

Mr. NEFF. Mr. President—

The PRESIDING OFFICER. The gentleman is out of order under a question of personal privilege.

The question is on the motion to put the previous question, and it has been properly seconded.

Mr. ROSENFELD. Mr. President, what is the previous question?

The PRESIDING OFFICER. The Senate will be in order. For the information of the gentleman from Philadelphia, Senator Rosenfeld, Section 2 has had amendments offered to it by Senator Rosenfeld which were defeated. Senator Walker now moves the previous question on Section 2.

Mr. ROSENFELD. Mr. President, I beg to differ with the Chair. My amendments have not yet been voted on.

Mr. WALKER. Mr. President, the gentleman is correct. The previous question is whether or not the Senate shall adopt the amendments to Section 2 presented by the gentleman from Philadelphia. I have moved the previous question and it has been seconded. I submit, Mr. President, the only thing before the Senate is to vote on the amendments submitted by the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. That is the present business before the Senate.

Mr. LANE. Mr. President, I differ with the statement made by the Majority Leader. The only thing before the Senate in my opinion is the vote for the previous question, not the vote on the amendments of Senator Rosenfeld.

Mr. WALKER. Now, Mr. President, may I explain to the gentleman from Washington, Senator Lane, that at the time I made the motion, or moved the previous question, I was of the impression we had already voted on the amendments which Senator Rosenfeld offered to Section 2 of the bill, and it was my impression there had been a roll call on it and the amendments had been voted down. I moved the previous question, Senator Lane, which would call for the adoption or rejection of Section 2. I have just been advised by the Chair that that is correct, that the amendments to Section 2, as offered by Senator Rosenfeld, were defeated by a roll call vote and the calling for the previous question now presents to the Senate one thing only, and that is whether or not the Senate will adopt Section 2 of the bill.

Mr. President, the moving for the previous question shut off all debate, and may I say to the gentleman from Washington that the only matter before us now is the roll call on the previous question as to whether or not we shall adopt Section 2.

## PARLIAMENTARY INQUIRY

Mr. ROSENFELD. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Rosenfeld, will state his question of parliamentary inquiry.

Mr. ROSENFELD. Mr. President, there has been no vote on the amendments that I offered to Section 2 and, therefore, the previous question is on my amendments.

The PRESIDING OFFICER. For the information of the gentleman from Philadelphia, there has been a roll call vote upon your amendments to Section 2. They were defeated 15 to 26. The only thing before the Senate is the previous question, Senator, and the previous question has been moved on that.

Mr. ROSENFELD. Mr. President, I merely want to state for the benefit of the Members of the Senate that I have another amendment to Section 2.

Mr. WALKER. Mr. President, I move the previous question.

Mr. ROSENFELD. Do I understand, Mr. President, that Mr. Walker does not want me to offer this amendment to Section 2?

Mr. ROSENFELD. Mr. President, I desire to interrogate Senator Walker.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Mr. President, I submit there is nothing before the Senate but the question of moving the previous question.

Mr. ROSENFELD. Mr. President, do I assume the gentleman does not want to be interrogated?

The PRESIDING OFFICER. There is nothing before the Senate but moving the previous question on Section 2.

## PARLIAMENTARY INQUIRY

Mr. ROSENFELD. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Rosenfeld, will state his question of parliamentary inquiry.

Mr. ROSENFELD. Mr. President, I do not believe the Chair can prevent me from offering amendments to Section 2.

The PRESIDING OFFICER. For the information of the gentleman from Philadelphia, the motion for the previous question shall preclude debate on the original subject. The previous question shall be moved by not less than four Members. When a call for the previous question has been made and sustained, the question shall be upon depending amendments and the main question, in their regular order, and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion shall be decided, whether on appeal or otherwise, without debate.

Mr. ROSENFELD. Mr. President, the rule talks about the question being on pending amendments, and I am being prevented from presenting pending amendments.

The PRESIDING OFFICER. For the information of the gentleman from Philadelphia, the Chair again refreshes the gentleman's memory. When a call for the previous question has been made and sustained, the question shall be upon pending amendments and the main question, in their regular order, and all incidental questions of order arising after the motion for the previous

question has been made, and that is the ruling of the Chair.

The Chair recognizes the gentleman from Philadelphia, Mr. Rosenfeld.

#### APPEAL FROM RULING OF THE CHAIR

Mr. ROSENFELD. Mr. President, I appeal from the ruling of the Chair.

#### POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. I submit, Mr. President, there is nothing before the Senate but the roll call on the previous question.

The PRESIDING OFFICER. The point of order raised by the gentleman from Allegheny, Senator Walker, is well taken. There is nothing before the Senate but the roll call on the previous question.

Mr. LANE. Now, Mr. President, you are right.

The PRESIDING OFFICER. The Senate will be in order.

Mr. ROSENFELD. I would like to note for the record, again, I am not only being prevented from introducing amendments to this serious piece of legislation, but for the first time in my life I am informed that I cannot even appeal from the ruling of the Chair. I repeat my appeal from the ruling of the Chair.

The PRESIDING OFFICER. The question is on the motion to adopt the previous question.

And the question recurring,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, I ask for a roll call.

Mr. KEPHART. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. The Clerk will call the roll.

(During the calling of the roll the following occurred:)

Mr. HOLLAND. Mr. President, I would like to know what we are voting on.

The PRESIDING OFFICER. There is nothing in order but the roll call.

Mr. HOLLAND. On what, Mr. President?

The PRESIDING OFFICER. There is nothing in order but the roll call. The Clerk will proceed.

(The Clerk continued to call the roll.)

Mr. NEFF. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. There is nothing in order but the roll call.

(The Clerk continued to call the roll.)

Mr. YOSKO. Mr. President, what are we voting on? I am serious about this. Are we voting on the roll call, or what are we voting on?

The PRESIDING OFFICER. There is nothing before the Senate but the roll call.

Mr. YOSKO. Mr. President, can't you, as the Presiding Officer, tell me what we are voting on?

(The Clerk continued to call the roll.)

Mr. NEFF. Mr. President I rise on a question of Parliamentary inquiry.

The PRESIDING OFFICER. The gentleman is out of

order. There is nothing before the Senate but the announcement of the roll call.

The yeas and nays were required by Mr. WALKER and Mr. KEPHART and were as follows, viz:

#### YEAS—26

Berger,	Mahany,	Robinson,	Walker,
Chapman,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.,	Stevenson,	Watson,
Freed	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelor,	Wagner,	Hare,
Letzler,	Proport,		Presiding Officer

#### NAYS—14

Bane,	DiSilvestro,	McGinnis,	Ruth,
Barr,	Lane,	McMenamin,	Silvert,
Byrne,	Leader,	Rosenfeld,	Stiefel,
Dent,	McCreesh,		

#### PRESENT—3

Holland,	Neff,	Yosko.
----------	-------	--------

So the question was determined in the affirmative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Rosenfeld.

Mr. NEFF. Mr. President—

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Rosenfeld, has the floor. The Senate will be in order.

Mr. ROSENFELD. Mr. President, I yield to my colleague from Lawrence, Senator Neff.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lawrence, Mr. Neff.

Mr. NEFF. Mr. President, I wish to inquire as to how I was recorded as voting on the measure just passed.

The PRESIDING OFFICER. The roll call has already been announced. The gentleman from Lawrence, Mr. Neff, is recorded as voting "present."

Mr. NEFF. Mr. President, I did not vote "present", and I appeal from the decision of the Chair.

The PRESIDING OFFICER. The gentleman is out of order.

Mr. NEFF. Mr. President, I appeal from the decision of the Chair.

The PRESIDING OFFICER. The Chair made no decision. The gentleman is out of order.

Mr. ROSENFELD. Mr. President—

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Mr. Rosenfeld.

Mr. ROSENFELD. Mr. President, I yield to my colleague from Lawrence, Senator Neff.

Mr. NEFF. Mr. President, I would like to interrogate the gentleman from Lehigh, Senator Freed

The PRESIDING OFFICER. The Senate will be in order. Will the gentleman from Lehigh, Mr. Freed, permit himself to be interrogated?

Mr. FREED. I will, Mr. President.

Mr. NEFF. Mr. President, I would like to inquire of the Senator from Lehigh if, with full cognizance of his



oath of office, he will tell me the time as indicated by his timepiece

The PRESIDING OFFICER. The gentleman is out of order. There is nothing before the Senate but agreement to Section 3, and this is facetious.

Mr. NEFF. Mr. President, I think the gentleman from Lehigh deserves the right of the floor to answer a question.

The PRESIDING OFFICER. The gentleman's question is not germane to the problem before the Senate.

Mr. NEFF. Mr. President, he has indicated that he will answer, and I see no reason why the Chair should take an arbitrary attitude at this time and refuse the gentleman from Lehigh the right of the floor.

The PRESIDING OFFICER. The Senate will be in order.

Mr. NEFF. Mr. President, I appeal from the decision of the Chair.

The PRESIDING OFFICER. The Senate will be in order.

Mr. NEFF. Mr. President, I appeal from the decision of the Chair.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Walker.

Mr. WALKER. Mr. President, may I interrogate the gentleman from Philadelphia, Senator Rosenfeld?

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Rosenfeld, permit himself to be interrogated?

Mr. ROSENFELD. I will, Mr. President.

The PRESIDING OFFICER. The gentleman from Allegheny may proceed.

Mr. WALKER. Mr. President, may I ask the gentleman from Philadelphia, Senator Rosenfeld, with regard to Section 3 of this bill which is now before us, if he has amendments which he would like to present at this time? I want to say to the gentleman that I am still trying to cooperate with him and have his amendments presented to the Senate. I appreciate the fact as we get closer to the hour of midnight, tempers get somewhat frayed, and may I say to the gentlemen of the Senate that if we could just see a motion picture of what has transpired in the last half hour, we would not be very proud of our adult conduct here on the floor of the Senate.

Now, Mr. President, I would appreciate it very much if the gentleman from Philadelphia would advise me if he has amendments to present to Section 3.

Mr. ROSENFELD. Mr. President, may I answer by stating to the gentleman from Allegheny, Mr. Walker, that I, too, appreciate the tension which exists and I appreciate with him that it is not only created by reason of the fact that the hour is getting late or early, depending upon whose hour we use, but I do not think it will help the situation one way or the other if the gentleman, in effect, gags me from presenting amendments to very important features of Section 2.

Now, Mr. President, I am hoping that we have cooled off and relaxed a little bit, and if the gentleman will permit me, orally, to present my additional amendments to Section 2, I will do all I can to preserve as much order and decorum in this Body as it is possible for me to do.

Mr. WALKER. Mr. President, I appreciate what the gentleman from Philadelphia has said. I do hope that the

wish is father to the thought. I am saying this carefully, and I am quite confident that conscientious consideration will be given to this problem from here on in.

Mr. President, I think the gentleman from Philadelphia understands very thoroughly the mechanics involved. Now, I think he understands we are at a point where Section 2, according to the record, has been adopted by the Senate. I have no desire to shut the gentleman off, and I say that to him very sincerely. I am going to cooperate with him. I want to say to him that if this can be conducted in an orderly, dignified, fashion, I assure the gentleman from Philadelphia that he will have the utmost cooperation from the Majority side.

Mr. ROSENFELD. Mr. President, will the gentleman yield?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WALKER. Mr. President, may I say to Senator Rosenfeld if we can conduct this in a quiet, orderly, fashion, I assure the gentleman that he will have the complete cooperation of the Majority side. As he knows, turmoil and confusion only gather momentum, and I would appreciate very much if the gentleman from Philadelphia, Senator Rosenfeld, will present to the Senate the amendments he has for Section 3 which is before us. I apologize very humbly to the gentleman from Philadelphia for adopting Section 2 without fully understanding that he had additional amendments to the section. If the gentleman will cooperate and present his amendments to Section 3, again I will offer him the full cooperation of the Majority side, because I am assuming we are going to do it in a quiet, orderly dignified fashion.

Mr. ROSENFELD. Mr. President, if the gentleman really wants to cooperate with me, he will move to reconsider the vote by which Section 2 passed Second Reading, and permit me to offer amendments as simply as I know how.

Mr. WALKER. Mr. President, may I answer the gentleman—will he yield for the answer?

Mr. ROSENFELD. Yes, Mr. President.

Mr. WALKER. Mr. President, may I say to the gentleman from Philadelphia, I will be very happy to cooperate with him. Without attempting to establish who threw the first stone, may I say to the gentleman that I will be very happy to make the motion to reconsider the vote by which Section 2 passed Second Reading. If the balance of this bill can be conducted in an orderly, dignified, fashion, I think then that we will all be a lot better off for it.

Mr. President, I want to say very frankly that I would be embarrassed, as I know all of us would be embarrassed, if we had visitors in this Senate Chamber who for the first time were seeing a Session of one of the greatest legislative bodies in the world, the Senate of the Commonwealth of Pennsylvania, but the attitude of disgust that might arise from disgruntled people does not worry me a bit. If we can continue in an orderly fashion, I will make that motion.

Mr. DENT. Mr. President, I have been trying to keep as cool as I can as the hour gets earlier. I note here something that I think would help all of us if I would just read from the Pennsylvania State Reporter, Volume 85, Page 401, Supreme Court Decision, Kilgore vs. Magee. In part it says something which I think is very apropos at the moment. "So far as the duty and consciences of the members of the legislature are involved the law is mandatory. They are bound by their oaths to obey the constitu-



tional mode of proceeding, and any intentional disregard is a breach of duty and a violation of their oaths."

Mr. President, these matters that cause this kind of a display, as it were, on the Senate floor are displays in minimum; a maximum display would come if an act so utterly disgusting to a valiant minority becomes a law. A minority does not lose its decorum unless something is being attempted that violates their sense of justice.

Now, Mr. President, there are questions to be answered and questions to be asked. We realized that this would result in exactly what is happening, and I would say that it is my honest opinion that when this bill hits the House, if it has not been amended in some fashion to allow the minority to express an opinion, that the House will probably take up where the Senate left off, if we leave off.

Mr. President, I am sure that at this hour none of us like this early hour tension, and none of us like the actions that are going on, but isn't it possible to maintain an equal balance under stress? It is just as proper, Mr. President, for the minority to use every legal means to stop the passage of an act as it is for a majority to use every political means to enforce the passage of an act. We all know that this is a political bill. It is one of the types or pieces of legislation that come up maybe once or twice a Session, when we lose regard for what we all conceive to be the proper decorum of the Senate. No one in this room wants to do anything to bring any kind of disgrace, any kind of criticism to any of the Members of the Senate but how can we proceed in this manner when all of us feel so deeply about it? It is strictly a political question.

I do believe, Mr. President, that if the gentleman from Philadelphia is allowed to present his amendments, no matter how long it appears to take, it will not take nearly as long as the confusion and the appeals and all the legal rights which they will invoke in the matter. That is something that no man can stop. Each individual Senator feels it his duty to do that which he feels to be right in the matter. The Republican Majority feels it their right to do what they are doing, I know they do. The Democrats feel the same way, and I would suggest to all of the Members of the Senate that the gentleman who feels so deeply about his amendments be allowed to present them and that we vote on them. It does not matter whether you do it in a loud, noisy fashion. The hour sometime must reach twelve o'clock.

Mr. WALKER. Mr. President, I am perfectly willing to permit the gentleman from Philadelphia to present his amendments. I understand he has amendments to Section 2, and I understand that inasmuch as cooperation is a two-way street, it will be extended by and given to both sides. Let us see if we can conduct the consideration of the balance of this bill in a courteous, dignified manner.

#### RECONSIDERATION OF SECTION 2, SENATE BILL No. 897

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Section 2 of Senate Bill No. 897 passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted in the affirmative.

Mr. TAYLOR. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. TAYLOR. Mr. President, I voted in the affirmative.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. ROSENFELD offered the following amendments:

Amend Section 2(a) Page 3, Line 11 by striking out the following on said line "Judges of the several" and all of line 12 and insert in lieu thereof the following "Mayor elected at the 1951 Municipal election Provided"; Amend Section 2(a) Page 3, Line 16 by striking out the words "aforesaid board of judges" and inserting in lieu thereof "Personnel Director."

On the question,

Will the Senate agree to the amendments?

Mr. ROSENFELD. Mr. President, for the information of the Senate, so that we can perhaps vote on this amendment intelligently now that we are in a quiet, sound, relaxed mood, I would like to explain that this still involves the office of Sheriff of the city of Philadelphia. Most of the groups of the city of Philadelphia are anxious that city council be given the right to determine what happens to the office of sheriff. That was the purpose of the amendment which this Body defeated.

Now, Mr. President, there are some groups in the city of Philadelphia who would like to have the Mayor appoint the Sheriff of the city of Philadelphia, and it is for that reason that this amendment was offered so that those groups could present to this Body their request that the future City Sheriff of the city of Philadelphia be an appointive office, appointed by the Mayor of the city of Philadelphia. I ask all my colleagues to vote in favor of this amendment.

Mr. YOSKO. Mr. President, I am sure you will agree with me that I sat here and conducted myself as a gentleman tonight.

The PRESIDING OFFICER. The Chair thanks the gentleman from Northampton.

Mr. YOSKO. Mr. President, when I requested you to tell me what we were voting on, I was sincere about it because of the turmoil here and, frankly, I still do not know what the question was that we were voting on. I do not believe I cast a ballot, although I am probably recorded as voting for something or other.

Mr. President, I heard Senator Mahany say that we should cut out this nonsense. I do not think this is nonsense at all, and I do not think it is nonsense because it is the only way we have to show our resentment against something that is wrong. I am sure that you, as Presiding Officer, and every Member in this Senate, know that what is being attempted here is wrong.

Mr. President, I heard Senator Walker say that if the gallery were filled with people, it certainly would be embarrassing to the Members of this Senate for the conduct displayed here tonight, and I say to you that if that gallery were filled with Philadelphians here tonight, I am sure that they would take the same attitude that we are taking here. So far as I am concerned, I will fight and stay here until hell freezes over before I permit this Senate to resolve itself into a dictatorship, and that is exactly what the Senate is trying to do, resolve itself into a dictatorship because it is trying to reverse the will of the people. Dictatorships are being fought all over the world, and if we do not fight against dictatorship here, we would not be performing our duty. I am



proud to be a Member of the Senate. I take a great deal of pride in it, but, I repeat, I would not permit this Senate to resolve itself into a dictatorship.

Mr. President, just what are you trying to do here in Section 2? In Section 2 it says that the Sheriff shall be appointed by the Judges of the several Courts of Common Pleas of Philadelphia, sitting as a board. Why should the Judges of the Court of Common Pleas of Philadelphia appoint a Sheriff in Philadelphia? We just had an election last November, we had a primary election, too, and the Democrats put up a candidate for Sheriff and the Republicans put up a candidate for sheriff. They were nominated in accordance with the Constitution and in accordance with the laws of this Commonwealth, and then the general election came and it was a bitter campaign as you well know. There were street corner rallies by both parties, and there they discussed the issues and they went before the people and told them what they stood for; they appeared on television and there they talked about their platforms; they appeared on the radio and there was all sorts of literature issued in the city of Philadelphia for the office of sheriff. The people had a chance to read, hear, see and absorb everything that went on during that campaign, and finally election day came. The people went to the polls and they voted. Unfortunately for you, and fortunately for the Democrats in Philadelphia, a Democrat was elected, and what do you do now? You are saying to the people of Philadelphia, "We do not care what you decided at the polls. We are going to change that decision of yours, and we are going to take that election out of your hands and we are going to place the appointment of the sheriff, whom the people elected, into the hands of the Judges."

Mr. President, what will you be doing when you do that? You will be making politicians out of the Judges and you ought to be ashamed to do it. I am surprised and shocked, really I am, that former Judge Fine, now Governor Fine, has not come into this Chamber and gotten hold of the Republican leadership and told them to do what was right, and what is right? Let those persons take office whom the people elected at the polls election day.

Down in my county, Mr. President, and it is a Democratic county just like Philadelphia was a Republican county, they elected a Republican Sheriff. Let us assume that the situation was reversed here and there was a bill presented to stop them from taking office. Would you stand for it? Why, of course, you would not, and if you would I would call you cowards and I would call every Member of the Senate who would stand for any such thing a coward.

Mr. President, you know and I know what this section in this bill wants to do by calling for the appointment of a sheriff, who was elected by the people of Philadelphia, by judges. You know what you want to do, you want that Board, which is appointed by Republican judges, to appoint the employees in the sheriff's office so that they could be frozen there, employees that the people of Philadelphia said by their votes on election day, "We no longer want you in office, because while you were there you did not conduct yourselves in accordance with law and in accordance with the best interests of the people of the city of Philadelphia," but yet now here in this Chamber you want to resolve yourselves into a dictatorship and

you want to reverse what the people decided should be done.

Mr. President, I will tell you it hits me right here, and I am sincere about it, to see you people here, gentlemen all of you, stand for something like that. You ought to hang your heads in shame, and I do not know how any of you can go back and face your constituents knowing that you indulged in this practice here tonight. I hope that before this bill comes up for Third Reading, Governor Fine will get the Republican leadership and tell them to send this bill back to committee where it belongs and let the law take its course. Let those people who were elected at the polls on election day take their offices, and if under the charter something is to happen later by which those people are to be replaced, then wait until that time comes.

Mr. President, I realize that there is a Presidential election next year, but I am telling you now, Members of the Senate and Members of the Republican Party, you are not going to help yourselves by keeping a lot of drones on the pay roll whom the people said should be eliminated from office, should be eliminated from their jobs. The people will go to the polls and express their resentment against these tactics here, and you will regret and rue the day you ever passed this bill if you do pass it.

And the question recurring,

Will the Senate agree to the amendments?

Mr. HOLLAND. Mr. President, I ask for a roll call.

Mr. BYRNE. Mr. President, I ask for a roll call.

Mr. SILVERT. Mr. President, I ask for a roll call.

#### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question of parliamentary inquiry.

Mr. WALKER. Mr. President, do I understand that the roll call is about to be called by the Clerk on the amendments offered by Senator Rosenfeld to Section 2 of Senate Bill No. 897, Printer's No. 675?

The PRESIDING OFFICER. For the information of the gentleman from Allegheny, we are voting on a roll call vote on the amendments placed by Senator Rosenfeld in Section 2, of Senate Bill No. 897, Printer's No. 675.

Mr. WALKER. Mr. President, I am ready for the roll call.

The PRESIDING OFFICER. The Clerk will call the roll.

(During the calling of the roll the following occurred:)

Mr. NEFF. Mr. President, I ask for a verification of the roll.

Mr. STIEFEL. Mr. President, I ask for a verification of the roll.

Mr. McCREESH. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Mahanay,	Robinson,	Watkins,
Chapman,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
Kessler,	Peelor,	Wagner,	Presiding Officer
Letzler,	Propert,	Walker,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: ayes 17, nays 26, and the amendments fall.

The yeas and nays were required by Mr. HOLLAND and Mr. BYRNE and Mr. SILVERT and were as follows, viz:

## YEAS—17

Bane,	Holland,	McGinnis,	Ruth,
Barr,	Lane,	McMenamin,	Silvert,
Byrne,	Leader,	Neff,	Stiefel,
Dent,	McCreesh,	Rosenfeld,	Yosko,
DiSilvestro,			

## NAYS—26

Berger,	Mahanay,	Robinson,	Walker,
Chapman,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.,	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelor,	Wagner,	Hare,
Letzler,	Propert,		Presiding Officer

So the question was determined in the negative.

And the question recurring,  
Will the Senate agree to the section?

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Rosenfeld, permit himself to be interrogated?

Mr. ROSENFELD. Yes, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman if he has any additional amendments for Section 2?

Mr. ROSENFELD. Yes, I do, Mr. President.

Mr. WALKER. Mr. President, I yield to the gentleman from Philadelphia.

And the question recurring,

Will the Senate agree to the section?

Mr. ROSENFELD offered the following amendments:

Amend Section 2 (a), page 3, line 11 by striking out the following on said line "Judges of the several" and all of line 12 and insert in lieu thereof the following "Personnel Director Provided"; Amend Section 2(a), Page 3, line 16 by striking out the words "aforesaid board of judges" and inserting in lieu thereof "Personnel Director".

On the question,

Will the Senate agree to the amendments?

Mr. ROSENFELD. Mr. President, this amendment 15 offered by me in order to accommodate certain groups in the city of Philadelphia who prefer to have the sheriff appointed by our new personnel director. They thought that would be in keeping with the new streamlined city charter.

Mr. President, I suggest that my colleagues vote in favor of this amendment.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. HOLLAND. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. The Clerk will call the roll (During the calling of the roll the following occurred:)

Mr. NEFF. Mr. President, I ask for a verification of the roll.

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. ROSENFELD. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Barr,	DiSilvestro,	McCreesh,	Rosenfeld,
Bane,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Mahanay,	Robinson,	Watkins,
Chapman,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.,	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
Kessler,	Peelor,	Wagner,	Presiding Officer
Letzler,	Propert,	Walker,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: ayes 17, nays 26, and the amendments fall.

The yeas and nays were required by Mr. Barr and Mr. Holland and were as follows, viz:

## YEAS—17

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,

## NAYS—26

Berger,	Mallery,	Robinson,	Walker,
Chapman,	Mahanay,	Snowden,	Watkins,
Fleming,	McPherson, Jr.	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelor,	Wagner,	Hare,
Letzler,	Propert,		Presiding Officer

So the question was determined in the negative.



And the question recurring,

Will the Senate agree to the section?

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Rosenfeld, permit himself to be interrogated?

Mr. ROSENFELD. Yes, I will, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman if he has any further amendments to Section 27.

Mr. ROSENFELD. I do, Mr. President. I yield to my colleague from Philadelphia, Senator Stiefel.

And the question recurring,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendments:

Amend Section 2(f), Page 5 by striking out all of lines 12 to 20 inclusive and inserting in lieu thereof as follows "The former County Commissioners of Philadelphia County now the City Commissioners may be appointed, elected, be abolished and have their duties transferred and the appointment qualifications and compensation of such employees as may be needed to perform the functions of such office shall be as provided by ordinance of the City Council elected at the 1951 Municipal election"; Amend Section 2 (f), Page 6 by striking out all of lines 1 to 19 inclusive; Amend Section 2 (f), Page 7 by striking out all of lines 1 to 10 inclusive.

On the question,

Will the Senate agree to the amendments?

Mr. STIEFEL. Mr. President, this is probably the most vulnerable section of the proposed legislation because it deals with the election machinery in the city of Philadelphia. It has already been pointed out tonight that two years ago Senator Kephart introduced legislation transferring the Registration Commission to the Election Bureau of the County Commissioners. Now, in this case there is an element as to the constitutionality of this provision, because if this measure is adopted, the uniformity which is provided by the Constitution of Pennsylvania will now have this exception, namely, in the case of the city of Philadelphia where the election machinery will be transferred to the Registration Commission.

Mr. President, this again is a violation of the principle of home rule because the election machinery will be vested now in the Registration Commission, and the Registration Commission consists of five members who are appointed by the Governor of Pennsylvania. I pointed out two years ago, and state now, that appointees of the Governor in certain cases may be persons of decency, persons who are interested in preserving clean elections in the city of Philadelphia, but even today we have a situation where one of the vacancies has not been filled. We have only one Democratic member on that commission, and despite our clamor for the appointment of a second member, our wishes have not been carried out despite promises that were made during the Session.

Mr. President, if you transfer this election function to the Registration Commission, we are again violating the principle of home rule. In Philadelphia, for generations the election machinery has always been of a tainted nature, and now we would like to have a system whereby the wishes of the electorate could be carried out, and by vesting this election function in the Registration Com-

mission we are again frustrating the will of the people of Philadelphia. For this reason I appeal to the membership of the Senate to vote in favor of this amendment, which will carry out the wishes of the people of Philadelphia.

Mr. KEPHART. Mr. President, for the benefit of the Members of the Senate who do not live in Philadelphia and who do not know all about our city government down there, the Registration Commission is composed of five members, three of whom are Republicans and two of whom are Democrats. In other words, there is minority representation.

Mr. President, Senator Stiefel has raised the question of the propriety of making this transfer of the Election Board from the County Commissioners to the Registration Commission, and he has also raised the question of its constitutionality. At the hearing before the Joint State Government Commission in 1948, Mr. Clark and Mr. Dilworth agreed with me, and so did Mr. Finnegan, and they had this to say:

"As to consolidation of election functions in the Registration Commission, which we favor, I hope you will do it but do not consolidate with the County Commissioners. You can do a good thing by consolidating Registration and Elections in the Registration Commission. There is some question as to the constitutionality. I think it is constitutional, and I suggest that those sections of the Constitution dealing with voting machines and election laws are broad enough to permit this being done."

Mr. STIEFEL. Mr. President, during the hearing which was held before the Committee on Local Government, Senator Kephart referred to the same passage in which he questioned Mayor-Elect Clark about the Constitutional features of this amendment, and at that time, according to the record, Mayor-Elect Clark expressed his opinion that this may be constitutional. I have all the respect for their rendition of Mayor Clark, but at the same time I feel that many Members of this Senate are well versed with the provisions of the Constitution of Pennsylvania and they know that a salient feature of such provisions is uniformity, and once that uniformity is violated the provisions become unconstitutional.

Mr. SILVERT. Mr. President, the section we are dealing with, as presently in the bill, transfers the duties of the Election Board from the County Commissioners to the Registration Commission. I heard Senator Kephart say, before twelve o'clock, that he considered the Bulletin a fearless, independent paper, which is interested in the welfare of the people.

Mr. President, I would now like to interrogate Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. SILVERT. Mr. President, I assume, Senator Kephart, that you still feel that the Philadelphia Evening Bulletin is a fearless, independent paper.

Mr. KEPHART. I do, Mr. President, but I have this reservation in connection with the problem at hand, namely, that last week they wrote an editorial in which they favored this and today they wrote an editorial in which they are not so sure. They will have to make up

their mind. I have an editorial from the Inquirer which is whole-heartedly in support of the provisions.

Mr. SILVERT. Mr. President, I desire to further interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be further interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. SILVERT. Senator Kephart, did you read today's editorial dealing with this question?

Mr. KEPHART. Mr. President, I just said I did.

Mr. SILVERT. Mr. President, the Bulletin, which we can agree is an independent, fearless paper, today in an editorial said that transferring the Election Board to the Registration Commission is one of the worse features of Senator Kephart's bill.

Mr. KEPHART. Mr. President, it might be a good time now to read the editorial of the Evening Bulletin into the record.

#### "Election Consolidation"

"It has long been recognized as a weakness of Philadelphia's election machinery that responsibility was divided. Five Registration Commissioners appointed by the Governor are responsible for registration. Three County Commissioners elected by the voters are responsible for the conduct of elections.

"The merging of these duties in a single body has often been urged, but the path to that goal has always seemed one-way.

"It was possible to transfer the registration duties to the County Commissioners, but not the other way around. The feeling has been, however, that even to achieve unification of the election administration it would be a mistake to increase the powers of the County Commissioners.

"As elected officers, not under a merit system, the County Commissioners were too hard to get at if something went wrong.

"The adoption of the City-County consolidation has provided another solution. It now seems to be possible to abolish the County Commissioners and to transfer their duties elsewhere. In the distribution of their powers, the Registration Commission looks like a logical place to put responsibility for the conduct of elections, and that is where Senator Kephart's consolidation bill would put it.

"Administration of registration and elections by a single agency works well in other cities."

Mr. SILVERT. Mr. President, for Senator Kephart's edification, may I read just two lines from today's Bulletin editorial. After discussing the bad features of the bill, it goes on to say, "Equally obnoxious is the proposal to give the Governor control of all election functions," and that is exactly what this bill is doing.

Mr. ROSENFELD. Mr. President, I would like to make just two brief comments with regard to this amendment. One is that if this provision is carried out, Philadelphia would be the only county of the Commonwealth which would have its election machinery in the hands of an appointed board under the Governor. Secondly, I would like to state for the benefit of my colleagues here that while it is true that the Registration Commission is supposedly bipartisan, there is no guarantee at all that

the Governor would appoint a person from the other party who would not either be a left-handed dealer or a left-handed Republican.

Mr. President, I might say, finally, that there has been a vacancy in the office of the Registration Commission in the city of Philadelphia since February of 1951. It is now December of 1951. There have been three elections, one on the Charter Commission, the primary, election and the General Election, and the Governor has not seen fit yet to appoint another minority member. This means that if it were carried out to its logical conclusion, that if there were two vacancies for minority members on that Commission and if the Governor did see fit to place anybody in those positions, then we would not have a bipartisan commission to handle our election machinery. That is the danger of this proposal.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Rosenfeld, permit himself to be interrogated?

Mr. ROSENFELD. I will, Mr. President.

Mr. WALKER. Mr. President, I would like to ask the gentleman from Philadelphia, Senator Rosenfeld, if there is anything personal in his remark about left-handed Republicans?

Mr. ROSENFELD. No. Mr. President, nothing at all. I do know, Mr. President, that during every election campaign there are Republicans for the Democratic candidate and Democrats for the Republican candidate, and it is apt to be one of those kind of individuals who might be appointed as a minority member.

Mr. BYRNE. Mr. President, will Senator Kephart permit himself to be interrogated?

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. BYRNE. Senator Kephart, you mentioned several names tonight, and you mentioned Mr. Finnegan's name. Do you have any quotes of Mr. Finnegan in reference to the County Commissioners and in reference to the Registration Commission?

Mr. KEPHART. No, Mr. President. Mr. Finnegan, what he did was wait until Dilworth and Clark got through.

Mr. BYRNE. You do not have the quote?

Mr. KEPHART. Yes, Mr. President, I have a quote saying practically, "Me, too."

Mr. BYRNE. Well, why don't you read his quote?

Mr. KEPHART. I will be glad to, Mr. President.

Mr. Finnegan said, "There has been a great deal said about city-county consolidation and the City Charter, and I think that I can say that I agree with ninety-eight per cent of what has already been said along these lines, and it is not my intention to add any further comment to that matter," and ninety-eight per cent is practically, "Me, too."

Mr. BYRNE. Are they the quotes from the meeting which was held two years ago?

Mr. KEPHART. Yes, Mr. President, they are.

Mr. BYRNE. Thank you.

Mr. BARR. Mr. President, I would like to interrogate the gentleman from Philadelphia, Senator Kephart.



The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. BARR. Senator Kephart, is this the point in Section 2 where they turn the election machinery over to the Registration Commission?

Mr. KEPHART. Yes, Mr. President.

Mr. BARR. Now, Mr. President, this to me, as a resident of Allegheny County, is the most serious section of the bill and I think the section that affects all the gentlemen of the Senate. First of all, Mr. President, if you will let me delay one moment, I want to read the Constitution, just one line. This is Article 8, Section 7, where it says, "All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State."

Now, Mr. President, there are sixty-seven counties in this, what was a great Commonwealth previous to this Session of the Legislature, and they are the County Commissioners who are elected by the people and who are supervising the elections in this Commonwealth and are subject to the choice of the people at the polls, and if anything is done wrong they can be removed either for cause or by the electors.

I submit to you, Mr. President, that when the Return Board meets next year in Philadelphia, this Return Board will be these gentlemen under this bill who are these political hacks, and who are appointed and not elected. I for one, Mr. President, am not going out and ring the doorbells in my precinct, and I know many others are not going out and ring doorbells in their divisions to have their pluralities in their counties, whether Republicans or Democrats, wiped out by such types of persons who are in an appointive job. It appears to me, I think since February, that there has been a vacancy on the Registration Commission in Philadelphia, and the party then in power knew what was going to happen at the November election, and they wanted to save that vacancy for some ward heeler who has been discredited by the people in Philadelphia.

I am not a lawyer, Mr. President, but I can read the English language. Mr. Walker asked me to prove it, and I will prove it by re-reading that part of the section of the Constitution.

"All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State."

Mr. President, I submit to you that I can read the English language because that is the Constitution of the Commonwealth of Pennsylvania. Mr. President, this is a deliberate political attempt to try and circumvent the Constitution. I say to the Members of the Senate that this Subsection, in Section 2, is absolutely contrary to the Constitution.

Mr. President, this section, I say, affects each and every one of us in the Senate, and this I am very serious about. I, for one, will not see the pluralities of either Republicans or Democrats in the other sixty-six counties of this State erased by these men who have been spoken of or about at the polls during the past three preceding elections in Philadelphia, namely, the election of 1951, the election of 1950 and the election of 1949.

Mr. President, I would like to interrogate the sponsor of this bill.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. BARR. Mr. President, I would like to ask Senator Kephart if he has read Article 8, Section 7 of the Constitution?

Mr. KEPHART. I have, Mr. President, if that is the one you just read.

Mr. BARR. I am sure you have read it, Senator Kephart, and before I ask you the question, may I say that you were not aware of it until today when I showed it to you in front of the rostrum of the Senate.

Mr. KEPHART. Mr. President, if I might further answer Senator Barr, after he showed me the part of the Constitution under which he claims this section might be unconstitutional, I started to look into that question and I was agreeably surprised to find no less authority on the subject than the Mayor-elect of Philadelphia, and I would rather rely on his opinion than Senator Barr's.

Mr. BARR. Mr. President, the gentleman about whom he speaks, Mr. Clark, I think I had the pleasure of meeting just once and I presume that Mr. Clark could have had this question asked of him at some of these meetings which he is referring to and not pinpointed to the Constitution, and for that I can excuse him. Secondly, I do not have to abide by the opinion of Mr. Clark.

Mr. KEPHART. Mr. President, I did not understand the gentleman properly. Did he say that the Mayor-Elect did not give his opinion on this point?

Mr. BARR. No. Mr. President, I did not say that.

Mr. President, I think that there are quite a number of lawyers on the other side of the aisle, and I think that they can read the Constitution as well as I, and if they read this one section and read this bill, they would know that this section is absolutely contrary to Article 8, Section 7, of the Constitution. I, for one, will not stand idly by and see the pluralities of the sixty-six other counties, whether their pluralities be Democratic or Republican, erased by these discredited ward heelers that I have read about in every paper and periodical in this Country, and who have been a cancerous sore to the Commonwealth of Pennsylvania, because I have been in many other states and people have asked me about Philadelphia, and I was very happy to say that while I am in politics, I am three hundred fifty miles distant from where that cancerous machine has been operating.

Mr. LANE. Mr. President, I would like to make a further comment and observation on this particular section. I think that in the event of an election of the Board of Elections, which is the County Commissioners, the President Judge of the Court of Common Pleas takes over jurisdiction. Now, if we are going to have appointees perform the same duties in a first class county as the President Judge performs in all other counties from third class up, I say it is very far amiss. I am very sorry that my good friend and colleague, Senator Diehm, is not in the Senate this evening. I am quite sure that he would take the floor and support the position I am taking, and I say to you here and now, your Board of Commissioners in all other counties, including your county, Senator Hare, acts as the County Board of Elections.



I say to you, Mr. President, when we have men appointed to those positions who supervise those elections, something radically wrong can happen. I must also inform you that each and every County Commissioner, who acts as a Board of Elections, also posts a bond for the faithful performance of his duty.

Mr. KEPHART. Mr. President, as we all know, the Philadelphia Inquirer, dated under tomorrow's date line, comes out on Thursday evening, tonight. I have here tomorrow morning's Inquirer, and I would like to read into the record what "Uncle Dominick" has to say in connection with my bill.

Mr. NEFF. Mr. President, I would like to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. NEFF. Mr. President, I would like to ask Senator Kephart what edition of the Inquirer is that.

Mr. KEPHART. Mr. President, I just have the second section. It is tomorrow morning's edition. I do not have the front page. It is the editorial page.

Mr. NEFF. Is that this morning, Friday morning?

Mr. KEPHART. Senator Neff, if you had been listening, I carefully explained twice that the edition I have comes out the evening before, and I have the Thursday evening edition which, however, is dated with Friday's date line.

Mr. NEFF. Mr. President, the Senator did not speak quite loudly enough or audibly, and I did not understand him correctly.

Mr. KEPHART. Mr. President, in case some of you do not know who "Uncle Dominick" is, it is John M. Cummings, editorial writer for the Philadelphia Inquirer.

#### "FRUITS OF VICTORY" SHOULD BE CITY'S, NOT POLITICIANS'

"A little of what passes for dignity among gentlemen of the bar would have been more in keeping with the reputation of Richardson Dilworth when he appeared at a hearing in Harrisburg the other day to have his say against the Kephart Bill.

"Dilworth is known as a competent trial lawyer. More than one trial lawyer with a poor case has sought to befuddle an issue by shouting and carrying on in a manner quite shameful to a profession graced by giants such as George Wharton Pepper and the late John G. Johnson.

"For all his smartness, Dilworth tipped his mitt when Senator Stevenson, chairman of the Local Government Committee, threatened to end the hearing if Philadelphia's District Attorney-elect did not quit his shouting and his badgering.

"I'd be delighted to have it dismissed," said Dilworth.

"Here you have the trial lawyer looking for a mis-trial. Here was Dilworth looking for material which he could use to attack the committee and make it appear he had been given a raw deal.

"Let it be conceded the Kephart Bill is not a perfect piece of legislation. Some of its features undoubtedly should be thrown into the discard. But basically it attempts to do exactly what Dilworth has been insisting from a thousand street corners should be done, and the sooner the better.

"It attempts to do what the Democrats and Republicans in this town have been clamoring for over a long period of years. Its prime purpose is to put into effect city-county consolidation under the terms of the Constitutional Amendment ratified by the voters of the State last month on the same day that Dilworth was elected District Attorney and Joe Clark Mayor.

★ ★ ★

"The trouble arises, in the main, from the circumstance that no one, Republican or Democrat, expected the Legislature to be in session so late in the year. It was figured that for at least two years nothing could be done in the way of carrying out the provisions of the amendment. But the Legislature is in session. And Senator Kephart put in a bill. And from the moment of its appearance, Mr. Dilworth and several others have been screaming like a pig caught under a gate.

"The complaint revolves around the assumption that the Kephart Bill, in Dilworth's words, 'robs us of the fruits of victory.'

"Well, what are the fruits to which he refers?

"They are plums, political plums. In short, they are jobs. They are jobs in the various county departments which would be incorporated in other agencies under the new City Charter.

"The Bureau of Municipal Research, which certainly cannot be accused of attempting to ignore the will of the people, says the Kephart Bill 'makes real strides toward these objectives,' meaning among other things, simplification of the city government.

"There are features of the bill as it stands which should be changed, says this agency. A similar report comes from the Committee of Seventy.

"But underlying everything else is this question: Are we going to have consolidation now or do we have to wait for another four years to satisfy the patronage-hungry?

"They cry out against piling new responsibilities on the Board of Judges. They should against an attempt to freeze Republican jobs. But these are the wails of blokes endeavoring to befuddle the issue.

"By agreement between the two parties, bi-partisan teams were sent around the State shortly before the election. Their mission was to enlist the support of up-State counties in behalf of the merger amendment. The amendment was adopted by a rousing vote. The Legislature being in session, something ought to be done to give the amendment life and meaning."

Mr. President, I wish to quote from today's Thursday Evening Bulletin Editorial:

"The Legislature has an opportunity to give us a better county set-up than the one the voters have displaced, and Philadelphia has a right to demand it."

Mr. President, my bill will give Philadelphia that better government.

Mr. ROSENFELD. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Kephart, permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. ROSENFELD. Mr. President, will the Senator agree to the amendments that are being requested by the civic organizations and newspapers of the city of Philadelphia?

Mr. KEPHART. Well, Mr. President, I do not think that I agree with all that those organizations say. As a matter of fact, they touch upon, as I understand them, subjects which there is no reason for us to touch upon at this time at all and which are not involved in connection with the integration which we are here attempting to do. In other words, they wish to go farther and meddle in State functions, whereas we are interested here in integrating the county functions with the city.

Mr. ROSENFELD. Mr. President, I would merely like to reiterate that on a prior interrogation on the question of what is a county function and what is a State function, if I did not clear the matter up for the benefit of my colleagues on the other side of the house, I have certainly



cleared it up for my colleagues on this side of the house. You see, Mr. President, with the varied comments, with the change in the attitude of the press from day to day, upon a thorough reading of this bill, upon a closer scrutiny of what it actually does, all this confusion has been created, which points up to the fact that it is impossible in a few weeks time to do a proper job. This is a job that must be done by cool-headed individuals over a reasonable period of time. It was something that my good colleague from Philadelphia, Senator Kephart, himself recommended when this matter was before the committee yesterday.

Mr. ROSENFIELD, just yesterday, it seems like a long time, well, I should say two days ago if I want to be consistent, but in keeping with the ruling of the Chair I will say it was yesterday, yesterday my good colleague from Philadelphia, Senator Kephart, suggested that it might be possible that the City Charter Commission, which previously considered this measure, might sit down and do the same kind of a job that they did with regard to the Home Rule Charter. We even agreeably listened to a suggestion that, perhaps, a new commission could be created, half of whom would be appointed by the Governor and half of whom would be appointed by the Mayor-elect, and we on this side of the house, and all of the decent citizens and groups in the city of Philadelphia who are interested, who are anxious and willing, and I might add, Mr. President, that many of the Republican Members of not only the Local Government Committee but of this Body, were heartened at the idea that we could make such an arrangement.

Mr. President, what kind of a monkey wrench was thrown into the whole idea and by whom I don't know, but a monkey wrench was thrown in and that is why we are here talking about and debating this question this evening. It is nothing that one man can decide, whether it be "Uncle Dominick," or myself, or Mr. Kephart, or the Greater Philadelphia Movement, or the Philadelphia Bulletin or the Philadelphia Inquirer. It is a matter that would require considerable deliberative thought and discussion, and if we can look back to the Home Rule Charter in Philadelphia and see how that developed and how it was finally formulated and approved, and the wonderful job that was done, we could do no less with the question of city-county consolidating.

Mr. NEFF. Mr. President, it is now ten minutes after two, Friday the fourteenth, 1951, and we have been discussing Section 2.

The PRESIDING OFFICER. We have been discussing the amendment to Section 2.

Mr. NEFF. Mr. President, we have been discussing the amendment to Section 2 of the Kephart Bill for approximately two hours, and there still seems to be a great deal of disagreement. For the edification of the Senate, I think it might be well if this section would be read to know just what this section does to deprive the citizens of Philadelphia of a hard-earned victory to throw out of office a Republican machine that has been nationally in disrepute for many years. So, I would like to read that section at this time:

"Section 2 In the City of Philadelphia

"(a) The Sheriff shall be appointed by the Judges of the several Courts of Common Pleas of Philadelphia sitting as a board Provided That the first Sheriff appointed

under this act shall be the person who was elected at the 1951 municipal election The compensation of the Sheriff shall continue to be that provided by statute The Sheriff shall appoint such number of employes as the aforesaid board of judges shall approve The qualifications and compensation of such employes shall be provided by the civil service regulations prepared and adopted under the Philadelphia Home Rule Charter but until those regulations become effective their compensation shall be as heretofore"

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. ROSENFIELD. Mr. President, I ask for a roll call.

Mr. HOLLAND. Mr. President, I ask for a roll call.

### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question of parliamentary inquiry.

Mr. WALKER. Mr. President, do I understand that the roll call which has now been requested is a roll call on the amendments offered to Section 2 of the act by Doctor Stiefel?

The PRESIDING OFFICER. In answer to the gentleman from Allegheny, Senator Walker, the roll will presently be called upon the amendments offered by Senator Stiefel to Section 2, Senate Bill No. 897, Printer's No. 675.

Mr. WALKER. Mr. President, I am now ready for the roll call.

The PRESIDING OFFICER. The Clerk will call the roll.

(During the calling of the roll the following occurred:)

Mr. HOLLAND. Mr. President, I ask for a verification of the roll.

Mr. ROSENFIELD. Mr. President, I ask for a verification of the roll.

Mr. BARR. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	Holland,	McGinnis,	Ruth,
Barr,	Lane,	McMenamin,	Silvert,
Byrne,	Leader,	Neff,	Stiefel,
DiSilvestro,	McCreesh,	Rosenfeld,	Yosko,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative as follows:

Berger,	Mahany,	Robinson	Walker,
Chapman	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.,	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelor,	Wagner,	Hare,
Letzler,	Propert,		Presiding Officer

The PRESIDING OFFICER. Are there any corrections?

Mr. HOLLAND. Mr. President, is Mr. Peelor in the Senate?

The PRESIDING OFFICER. Senator Peelor was on the floor. For the information of Senator Holland, Senator Peelor was on the floor when the roll was called.

Mr. HOLLAND. Mr. President, was Senator McPherson on the floor?

The PRESIDING OFFICER. For the information of the gentleman from Allegheny, Mr. Holland, Senator McPherson was on the floor when the roll was called.

Mr. HOLLAND. Mr. President, was Senator Blass on the floor when the roll was called?

The PRESIDING OFFICER. Senator Blass is not recorded as voting.

Mr. HOLLAND. Mr. President, was Senator Watson on the floor when the roll was called?

The PRESIDING OFFICER. Senator Watson is still on the floor.

Mr. HOLLAND. That is all, Mr. President.

Mr. NEFF. Mr. President, was Senator Freed on the floor?

The PRESIDING OFFICER. For the information of Senator Neff, Senator Freed was on the floor and answered to the roll call. The gentleman is recorded as voting "aye."

Mr. NEFF. Mr. President, I do not see him on the floor now.

The PRESIDING OFFICER. For the information of the gentleman from Lawrence Senator Freed is very much in evidence.

Mr. NEFF. I stand corrected, Mr. President.

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: ayes 16, nays 26, and the amendments fall.

The yeas and nays were required by Mr. BARR and Mr. ROSENFELD and Mr. HOLLAND, and were as follows, viz:

#### YEAS—16

Bane,	Holland,	McGinnis,	Ruth,
Barr,	Lane,	McMenamin,	Silvert,
Byrne,	Leader,	Neff,	Stiefel,
DiSilvestro,	McCreesh,	Rosenfeld,	Yosko,

#### NAYS—26

Berger,	Mahany,	Robinson,	Walker,
Chapman,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelor,	Wagner,	Hare,
Letzler,	Propert,		Presiding Officer.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Rosenfeld, permit himself to be interrogated?

Mr. ROSENFELD. I will, Mr. President.

Mr. WALKER. I desire to ask the gentleman from Philadelphia if he has any further amendments to Section 2?

Mr. ROSENFELD. Yes, Mr. President, I do.

And the question recurring,

Will the Senate agree to the section?

Mr. ROSENFELD offered the following amendments:

Amend Section 2(a), Page 3, line 11 by striking out the following on said line "Judges of the several" and all of line 12 and insert in lieu thereof the following "Commissioner of Records Provided"; Amend Section 2(a), Page 3, line 16 by striking out the words "aforesaid board of judges" and inserting in lieu thereof "Personnel Director."

On the question,

Will the Senate agree to the amendments?

Mr. ROSENFELD. Mr. President, I am still on that section of the bill which deals with the disposition, I say again, of the sheriff of the former county, now the city of Philadelphia. I have received a request from a number of groups that since the office of sheriff is an office which has to do with records that the Commissioner of Records keeps, and if any Member of the Senate would like me to explain what a Commissioner of Records is, I will be very glad to do so, that he be the appointing power in this particular case.

Now, Mr. President, we have indicated that my colleague from Philadelphia, Senator Kephart, in his bill provides that the sheriff be appointed by the Judges of our Courts of Common Pleas, sitting as a board. A few moments ago my colleague from Philadelphia, Senator Kephart, was quoting "Uncle Dominick" of the Philadelphia Inquirer. I just received a copy of the Inquirer, turned to the front page, and in big headlines I see the following:

"Judges Here May Ask Legislature to Take Them Out of Politics.

"For nearly two hours yesterday the 21 members of the Philadelphia Board of Judges debated the advisability of appealing to the State Legislature to be 'taken out of politics.'

"At a special meeting called at the request of 13 Republican and Democratic judges, they gave serious consideration to a proposal that they inform the Legislature that not only do they not desire more power over non-judicial appointments, but that they be stripped of their present powers."

Mr. President, I ask my colleagues to vote in favor of this amendment.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. BYRNE. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

#### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question, of parliamentary inquiry.

Mr. WALKER. Mr. President, I desire to know if the roll is about to be called on amendments offered by Senator Rosenfeld to Section 2(a) of the bill now before us for consideration?

The PRESIDING OFFICER. For the information of the gentleman from Allegheny, the roll is about to be called



on the amendments offered by Senator Rosenfeld to Senate Bill No. 897, Printer's No. 675.

The PRESIDING OFFICER. The Clerk will call the roll. (During the calling of the roll the following occurred:) Mr. NEFF. Mr. President, I ask for a verification of the roll.

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. ROSENFELD. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Mahany,	Robinson,	Walker,
Chapman,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.,	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelor,	Wagner,	Hare,
Letzler,	Propert,		Presiding Officer

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: yeas 17, nays 26, and the amendments fall.

The yeas and nays were required by Mr. BARR and Mr. BYRNE and Mr. LANE, and were as follows, viz:

YEAS—17

Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
			Yosko,

NAYS—26

Berger,	Mahanay,	Robinson,	Watkins,
Chapman,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.,	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Peelor,	Wade,	Hare,
Kessler,	Propert,	Wagner,	Presiding Officer
Letzler,	Pechan,	Walker,	

So the question was determined in the negative. And the question recurring, Will the Senate agree to the section?

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Rosenfeld, permit himself to be interrogated?

Mr. ROSENFELD. Yes, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentle-

man from Philadelphia, Mr. Rosenfeld, if he has any further amendments to Section 2?

Mr. ROSENFELD. Mr. President, I yield to my colleague from Philadelphia, Senator Stiefel.

And the question recurring, Will the Senate agree to the section?

Mr. STIEFEL offered the following amendment:

Amend Section 2(I), Page 8 by striking out all of lines 6 to 10 inclusive and inserting in lieu thereof the following "The office of Clerk of the Courts of Quarter Sessions of Philadelphia may be abolished and its duties transferred or may continue to be filled by appointment or election and the appointment, qualifications and compensation of such employees as may be needed to perform all the duties of such office shall be as provided by ordinance of the City Council elected at the 1951 Municipal election."

On the question, Will the Senate agree to the amendment?

Mr. STIEFEL. Mr. President, I want to state in capsule form a few remarks to substantiate my motion for the adoption of the amendment.

Mr. President, under the Kephart Bill the functions of the Clerk of Quarter Sessions will be transferred to the Prothonotary of the Courts of Common Pleas. Now, the Prothonotary of the Courts of Common Pleas is also the Clerk of the Municipal Court of Philadelphia. The task of the Prothonotary of the Courts of Common Pleas is in the nature of recording the actions of the Judges of the Courts of Common Pleas, and of the Municipal Court. It is purely a recording task, whereas the Clerk of Quarter Sessions is mainly an administrative apparatus.

Now, Mr. President, not only does the Clerk of Quarter Sessions record actions in criminal proceedings, he is also in charge of the probationary department and above all is in charge of the accounting department of the Domestic Relations Branch of the Municipal Court of Philadelphia. This latter feature is the most complicated feature of his activities because the accounting department maintains accounts of hundreds and thousands of cases involving domestic litigation, which is rather cumbersome. Now, to transfer all these functions to the Prothonotary's office would mean to nullify the work of the Prothonotary's office, and for that reason I cannot see how these two bodies can be fused, and I feel that the transfer of the Clerk of Quarter Sessions to the Prothonotary is a misplacement.

Mr. KEPHART. Mr. President, referring to the record again, and by that I mean the hearing which we had before the Joint State Government Commission in 1948, I quote from the record, and Mr. Dilworth is speaking:

"There is no sense in the Clerk of Quarter Sessions and the Prothonotary—both should be under the Courts where they belong.

"SENATOR WALKER: Who would appoint the Clerk of Courts?

"Mr. DILWORTH: The Courts."

On page 11, "The Clerk of the Quarter Sessions Court should be appointed by the Judge of the Court that it comes strictly under. The Courts ought to have the right to appoint any office strictly Court business.

"SENATOR WALKER: How much control would the Mayor have over these offices that are appointed by the Courts?

"MR. DILWORTH: I don't think he would have any responsibility there.

"SENATOR WALKER: He would just be the boss over certain departments.

"MR. DILWORTH: The executive department should be boss of all executive departments; the courts over judicial departments. That is a proper separation."

Mr. President, if that was good government at that time, it is still good government now.

And the question recurring,

Will the Senate agree to the amendment?

Mr. NEFF. Mr. President, I ask for a roll call.

Mr. KEPHART. Mr. President, I ask for a roll call.

### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question of parliamentary inquiry.

Mr. WALKER. Mr. President, do I understand that the roll that is about to be called will be called on the amendments offered by the distinguished Senator from Philadelphia to Section 2 of the bill which is now before us for consideration?

The PRESIDING OFFICER. For the information of the Majority Leader, the roll is about to be called on the amendments offered to Section 2 (i) of Senate Bill No. 897, Printer's No. 675.

Mr. WALKER. Mr. President, I am ready for the roll call.

The PRESIDING OFFICER. The Clerk will call the roll. (During the calling of the roll the following occurred:)

Mr. FLEMING. Mr. President, I ask for a verification of the roll.

Mr. BERGER. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	Lane,	McMenamin,	Silvert,
Byrne,	Leader,	Neff,	Stiefel,
DiSilvestro,	McCreesh,	Rosenfeld,	Yosko,
Holland,	McGinnis,	Ruth,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Mallery,	Snowden,	Watkins,
Fleming,	McPherson, Jr.	Stevenson,	Watson,
Freed,	Meade,	Taylor,	Wolfe,
Kephart,	Pechan,	Wade,	Wood,
Kessler,	Peelor,	Wagner,	Hare,
Letzler,	Probert,	Walker,	Presiding Officer
Mahanay,	Robinson,		

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: yeas 15, nays 25, and the amendments fall.

The yeas and nays were required by Mr. NEFF and Mr. KEPHART and were as follows, viz:

### YEAS—15

Bane,	Lane,	McMenamin,	Silvert,
Byrne,	Leader,	Neff,	Stiefel,
DiSilvestro,	McCreesh,	Rosenfeld,	Yosko,
Holland,	McGinnis,	Ruth,	

### NAYS—25

Berger,	Mahany,	Probert,	Walker,
Fleming,	Mallery,	Robinson,	Watkins,
Freed,	McPherson, Jr.	Snowden,	Watson,
Kephart,	Meade,	Stevenson,	Wolfe,
Kessler,	Pechan,	Taylor,	Wood,
Letzler,	Peelor,	Wade,	Hare,
		Wagner,	Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. WALKER. Will the Senate indulge me just a moment?

Mr. President, I have no desire to introduce a note of levity upon such a serious occasion, but I would like to give the gentlemen of the Senate the benefit of a message that has been delivered to me by one of our mutual friends of the press. Mr. President, the message reads as follows:

"Ode to the Methuselah of Legislatures (By a Newspaperman Who Is Getting Awfully Tired of It).

"Like a ship without a rudder,  
Like a bird with half a wing,  
There is nothing now before us,  
That you could not have done last Spring.

"You have played around all Summer,  
Raced your motors all through Fall,  
And soon it will be Winter  
And you're still not on the ball.

"You have maddened your constituents,  
Sapped our strength and left us weak,  
Fellows, all we want for Christmas  
Is to get you home next week.

"GET OUT OF TOWN, YOU BUMS!"

Mr. President, I want to say to the very distinguished representative of the Evening Bulletin, we thank him very much for his Christmas Greeting.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Rules.

Mr. WATSON. Mr. President, I second the motion. The motion was agreed to.



## AFTER RECESS

By Appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (George N. Wade) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## RECESS

Mr. WALKER. Mr. President, I apologize to the gentlemen of the Senate for keeping them waiting over and beyond the time of the recess. I want to explain to the gentlemen of the Senate that several of the legislative problems which have occupied the concern and the time and attention of the General Assembly are nearer solution, and at this time I would like to make a motion for a second recess to permit a Republican Caucus and a Democratic Caucus, so that the two parties can determine matters which are now before us. I think that will expedite the work of the Senate and permit us, perhaps, to get that much closer to a sine die adjournment.

Therefore, Mr. President, I would like to announce that immediately upon this recess there will be a Democratic Caucus in the Democratic Caucus Room, and that there will be a Republican Caucus in the Senate Caucus Room.

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for thirty minutes, to permit a Republican Caucus and a Democratic Caucus.

Mr. McPHERSON. Mr. President, I second the motion. The motion was agreed to.

## AFTER RECESS

By Appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

And the question recurring,

Will the Senate agree to the section?

RECONSIDERATION OF SECTION 1, SENATE BILL  
No. 897

Mr. WALKER. Mr. President, I move that the Senate do now consider the vote by which Section 1 of Senate Bill No. 897, entitled:

An Act to implement Article fourteen, section eight of the Constitution of Pennsylvania; providing for the election or appointment, compensation, terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia; abolishing other such former County officers boards, and commissions and distributing their former duties; specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter, and upon what conditions; exempting certain officers and employes from the civil service provisions of the Philadelphia Home

Rule Charter; imposing additional duties upon the Governor of the Commonwealth and upon the judges of the Courts of Common Pleas, the Judges of the Orphans' Court, the Prothonotary, the Board of Registration Commissioners, and certain City officers, departments, boards and commissions of Philadelphia; specifying how the number, qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasury, shall be determined; and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. SNOWDEN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SNOWDEN. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 897, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## SENATE BILL NO. 871 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar Senate Bill No. 871 which went over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 871, on second reading, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Friday, December 14, 1951, at 5:15 o'clock, p. m., Eastern Standard Time.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Friday, December 14, 1951, at 5:15 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

THURSDAY, December 13, 1951

The House met at 12:00 o'clock noon.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, we pray Thee fix in us an urgent longing for the coming of Thy kingdom of righteousness and peace. In the midst of a changing social order may faith in Thee and obedience to Thy teachings prevail, to build a new life of love in which the ills of this present time may disappear and the glad day of brotherhood and mutual service may dawn. Strengthen all the agencies of men which are laboring for the happiness and welfare of all people, that they may find in Thee their salvation and their peace. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, December 12, 1951? If not, and without objection, the Journal is approved.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

## SENATE BILL No. 344.

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people, as well as family groups, industrial workers and others.

Referred to the Committee on Appropriations.

## SENATE BILL No. 548.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses.

Referred to the Committee on Appropriations.

## SENATE BILL No. 551.

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

Referred to the Committee on Appropriations.

## SENATE BILL No. 557.

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

Referred to the Committee on Appropriations.

## SENATE BILL No. 561.

An Act making an appropriation to the Department of

Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

Referred to the Committee on Appropriations.

## SENATE BILL No. 570.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Referred to the Committee on Appropriations.

## SENATE BILL No. 572.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

Referred to the Committee on Appropriations.

## SENATE BILL No. 577.

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Referred to the Committee on Appropriations.

## SENATE BILL No. 732.

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

Referred to the Committee on Appropriations.

## SENATE BILL No. 754.

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

Referred to the Committee on Appropriations.

## SENATE BILL No. 825.

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

Referred to the Committee on Appropriations.

## SENATE BILL No. 865.

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication.

Referred to the Committee on Appropriations.

## SENATE BILL No. 915.

An Act to further amend section 2002 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring council



to designate the chief and other police officers or to authorize the mayor to make such appointments.

Referred to the Committee on Cities—Third Class.

#### SENATE BILL No. 917.

An Act to amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects and increasing the borrowing capacity of the Authority.

Referred to the Committee on State Government.

#### ELMWOOD SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House a group of students from Elmwood School, York County, accompanied by their principal, Mr. Van Dyke. They are the guests of the gentleman from York, Mr. Seyler.

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 714.

An Act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; providing for leaves of absence; imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws.

##### HOUSE BILL No. 772.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation.

##### HOUSE BILL No. 1073.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of the Pennsylvania Soldiers' Orphan

School, to acquire an unimproved tract of land in Franklin County for the use of the Pennsylvania Soldiers' Orphan School; and making an appropriation.

##### HOUSE BILL No. 1166.

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law.

##### HOUSE BILL No. 1189.

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries, and providing for reimbursement to the Commonwealth.

##### HOUSE BILL No. 1438.

An Act making an appropriation to the Local Government Commission to continue its work

##### HOUSE BILL No. 1444.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Shippensburg State Teachers College to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County Pennsylvania and making an appropriation therefor

##### HOUSE BILL No. 1706.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Hazleton State Hospital to acquire three tracts of land for the use of the Hazleton State Hospital and making an appropriation therefor

With information that the Senate has passed the same without amendment.

#### REPORT FROM THE LEHIGH COAL AND NAVIGATION COMPANY

The SPEAKER. The Chair laid before the House a communication from the Lehigh Coal and Navigation Company stating that there was no report to be made to the General Assembly as required by the Act of 1818.

(For communication, see Appendix).

#### COMMUNICATION

The SPEAKER laid before the House a Resolution from the Borough of East Pittsburgh, protesting proposed plan to reapportion Congressional District in Allegheny County.

Referred to the Committee on Elections and Apportionment.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DALRYMPLE asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

#### LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. VARNER for himself for Monday, December 17.



## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 241, entitled

An Act to amend section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the age range of children prohibited admittance to moving picture theatres during school hours

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 609, entitled:

An Act to further amend Section 10 and 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 617, entitled

An Act to add Section 2.1 to Article XIV of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for minority party representation in council

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1125, entitled

An Act to amend Section 1189 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the maximum penalty on teachers failing to attend meetings called by the county superintendent

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 586, entitled

An Act relating to the administration without the appointment of a guardian of estates value at one thousand dollars or less of weak minded persons drug addicts and inebriates and providing a procedure therefor.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 793, entitled

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 831, entitled

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 869, entitled

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 884, entitled



An Act to further amend Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State for registered and unregistered cattle

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 891, entitled

An Act to further amend section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting employes of school districts to serve as councilmen

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 898, entitled

An Act to amend Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further defining eligibility for the office of school director

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

## BILL ON FINAL PASSAGE

### BILL PASSED OVER

There being no objection.

Senate Bill No. 27, Printers No. 672 was passed over at the request of the SPEAKER.

## BILLS ON THIRD READING

### BILLS PASSED OVER

There being no objection

House Bill No. 1731, Printer's No. 1051 and

Senate Bill No. 188, Printers No. 619.

were passed over at the request of the SPEAKER.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLACK asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

## SENATE MESSAGES

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

#### SENATE BILL No. 546

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans, soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Referred to the Committee on Appropriations.

#### SENATE BILL No. 579

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Referred to the Committee on Appropriations.

#### SENATE BILL No. 837

An act making it unlawful to print or otherwise produce wall charts sheets scratch sheets bookmaking tickets or other items in furtherance of illegal gambling or to transport sell or possess the same and providing penalties.

Referred to the Committee on Law and Order

#### SENATE BILL No. 875

An act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capitol and the acceptance of such chapel by the Commonwealth.

Referred to the Committee on Public Health and Sanitation.

#### SENATE BILL No. 899

An act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expences.

Referred to the Committee on Education.

#### SENATE BILL No. 916

An act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P L 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and

employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the over-all limit of tax revenue.

Referred to the Committee on Municipal Corporations.

#### RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate December 12, 1951.

It is fitting that provision be made for the permanent care of the World War II roster, now displayed in the Capitol rotunda, in order that this record of war history may be properly preserved.

Inasmuch as the Pennsylvania Historical and Museum Commission by Act No. 340 of the 1949 Session of the General Assembly is empowered, in cooperation with the Department of Military Affairs to establish and maintain an extension museum of war history at Indiantown Gap, and in view of its other excellent facilities and experience in caring for historical records, it is proper that this Commonwealth agency be entrusted with the permanent care of this valuable war record; now therefore be it

Resolved (if the House of Representatives concur), That the permanent care of World War II service roster now in the Capitol rotunda be entrusted and turned over to the Pennsylvania Historical and Museum Commission for display and preservation in accordance with its powers and facilities.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LOFTUS asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 323.

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the irradiation of rust spreading barberry bush and providing for payment thereof to counties making like expenditures of county funds

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 792.

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates and for their admission to and care therein and the payment of the cost thereof and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1135.

An Act to amend the title and Sections 2 and 3 of the act, approved the third day of June, one thousand nine hundred forty-three (P. L. 847), entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations; and making an appropriations," by authorizing the State Council to purchase, own, install, maintain and lease, equipment and accessories for suitable business enterprises for the blind, accept Federal funds

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:



## HOUSE BILL No. 1142.

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1149.

An Act making an appropriation to the Department of Public Instruction, including proceeds of publications sold, for the purpose of revising the curricula of elementary, secondary and vocational schools.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1152.

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of children physically handicapped by speech and hearing defects at rehabilitation centers provided by the Department of Public Instruction and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that, the com-

munication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1224.

An Act making an appropriation to aid certain school districts.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1397.

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1541.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the Incodel Plan a four-State compact between New York New Jersey Delaware and Pennsylvania for the purposes of developing utilizing controlling and conserving the water resources of the Delaware River Basin

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1582.

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1654.

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATERHOUSE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

## SENATE MESSAGE

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 862, entitled:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

## APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 862

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Sollenberger, McCullough and Polen.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

## APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1641

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Mazza, Johnson and Polen.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 796

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the



amendments made and insisted upon by the House of Representatives to Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

And has appointed Messrs. Wood, Berger and DiSilvestro a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 796 and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 796

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Smith, Royer and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BOWER asked and obtained permission for the Committee on Elections and Apportionments to meet during the session of the House.

#### REPORTS FROM COMMITTEES

Mr. BOWER from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1230, entitled:

An act to further amend subsections (a) and (b) of Section 16 of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commission, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors, and imposing penalties," by further providing for the appointment of certain registrars; removing certain obsolete provisions; and fixing days and hours for registration.

Mr. BOWER from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1231, entitled:

An Act to further amend subsections (a) and (b) of section 17 of the act, approved the twenty-fifth day of

May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments, and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further providing for the appointment of certain registrars; and fixing days and hours for registration.

Mr. WELSH from the Committee on Municipal Corporations, reported as committed, House Bill No. 1704, entitled:

An Act to further amend sections 4 and 8 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties lienied; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

Mr. GRAYBILL from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 765, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by changing the definition of wages as to the rights and obligations of employers and employees where a successor-in-interest has acquired assets of a predecessor.

Mr. ZIEGLER from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class



and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employees in addition to their retirement allowances.

Mr. FLACK from the Committee on Professional Licensure, reported as committed, Senate Bill No. 883, entitled:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

Mr. JUMP from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 500, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

Mr. BOWER from the Committee on Appropriations, re-reported as amended, House Bill No. 1398, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the

number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties.

Mr. JUMP from the Committee on Cities—Third Class, re-reported as committed, Senate Bill No. 502, entitled:

An Act to amend the title and sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class and exempting public utilities from the obligations imposed in said act.

Mr. JUMP from the Committee on Cities—Third Class, re-reported as committed, Senate Bill No. 503, entitled:

An Act to amend the title and sections and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting public utilities from the obligations imposed therein.

Mr. JUMP from the Committee on Cities—Third Class, re-reported as committed, Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore



made" by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer sewerage and sewage treatment services.

### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1230, entitled:

An Act to further amend subsections (a) and (b) of Section 16 of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further providing for the appointment of certain registrars; removing certain obsolete provisions; and fixing days and hours for registration.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1231, entitled:

An Act to further amend subsections (a) and (b) of section 17 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments, and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further providing for the appointment of certain registrars; and fixing days and hours for registration.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1704, entitled:

An Act to further amend sections 4 and 8 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 765, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing the definition of wages as to the rights and obligations of employers and employees where a successor-in-interest has acquired assets of a predecessor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employees in addition to their retirement allowances.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 883, entitled:



An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### SENATE MESSAGE

#### SENATE RECEDES FROM AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate recedes from its amendments, non-concurred in by the House of Representatives, to House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax.

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### HOUSE BILL No. 1694.

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 3:30 p. m. The Chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1468.

An Act to add section 10.1 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of the public school system

#### HOUSE BILL No. 1469.

An Act to add section 12.2 to the act approved the eighteenth day of June one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund

#### HOUSE BILL No. 1679.

An Act to further amend the last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities

With the information that the Senate has passed the same without amendment.



## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1421.

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Department of the Commonwealth, interest on the public debt, and the support of the public school for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGES

## CONCURRENCE IN HOUSE RESOLUTIONS

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 25 Printer's No. 27, entitled "An act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire on behalf of the Commonwealth, certain land, buildings and appurtenances, located in the Township of Manheim, Lancaster County, and certain personal property therein; and making an appropriation," which was recalled from the Governor April 26, 1951, be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 356, Printer's No. 897, entitled "An act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled 'An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain an operate projects and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates,' by extending the provisions thereof to school districts for limited purposes; changing provisions for incorporation, withdrawal from and joinder in Authorities, amendment of articles

of incorporation, boards of Authorities and citizenship of members thereof, and providing for extensions of corporate existence, transfer of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities," which was recalled from the Governor, September 26, 1951, be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 826, Printer's No. 854, entitled "An act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties,' by redefining the term "final salary" and further providing the manner of computing employees' annuities," which was recalled from the Governor on September 26, 1951, be returned to the Governor without amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 12, 1951.

Resolved (if the Senate concur), That House Bill No. 218, Printer's No. 188, entitled "An act to further amend section 30 of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended 'An act relating to dogs and the protection of live stock, poultry and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employees, directing the payment of all moneys collected into the State Treasury, and providing penalties,' by increasing the maximum amounts of payments by the State and requiring additional proof of claims in certain cases," which was recalled from the Governor on July 19, 1951, be returned to the Governor without amendment.

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 811.

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department



thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

Referred to the Committee on State Government.

#### SENATE BILL No. 922.

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

Referred to the Committee on State Government.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 1669.

An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such divisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue.

#### SENATE BILL No. 658.

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

#### SENATE BILL No. 718.

An Act to further amend section thirteen of the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the third class and imposing certain charges on counties" by extending and further regulating such retirement systems.

#### SENATE BILL No. 736.

An Act providing for the registration of professional bondsmen in cities of the first class providing for criminal offenses and penalties.

#### SENATE BILL No. 795.

An Act vesting and confirming in cities of the second class all right title and interest of the Commonwealth in certain streets lanes and alleys situate within such cities.

#### SENATE BILL No. 833.

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

#### SENATE BILL No. 839.

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township Blair County Pennsylvania with the approval of the Governor

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 11:30 p. m. The Chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### ADJOURNMENT

Mr. JOHN M. RILEY. Mr. Speaker, I move that this House do now adjourn until Friday, December 14, 1951 at 12:01 a. m.

The motion was agreed to, and (at 11:59 p. m.) the House adjourned.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., FRIDAY, DECEMBER 14, 1951.

No. 103.

## SENATE

FRIDAY, December 14, 1951.

The Senate met at 5:15 o'clock, p. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:  
The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

In the absence of the Chaplain, the gentleman from Berks, DOCTOR RUTH, offered the following prayer:

Our Father in Heaven, we thank Thee for the blessed guidance of Thy Holy Spirit in our lives so that whenever there is chaos, Thou dost bring order. We pray, especially in this Holy Season, that we may have the spirit of peace and brotherhood in our hearts, so that we may realize that out of Thy great love Thou didst come into the world and assume unto Thyself all our mistakes and didst pay the full price for them.

Guide us in the remaining days of this Session that the spirit of the Christ Child may be dominant in our hearts. We ask it in Thy Holy Name, Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WADE, further reading was dispensed with, and the Journal was approved.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 13, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard V. Kniess, R. D. No. 1, Portersville, Butler County, for appointment as Justice of the Peace in and for the Borough of Portersville, Butler County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 13, 1951.

Mr. FREED. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 13, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

### ALLEGHENY COUNTY

Eugene Swanson, Penn Twp., 11603 Clematis Blvd., Penn Hills, Pittsburgh.

### BUCKS COUNTY

Mrs. Agnes K. Smith, Doylestown.

### CHESTER COUNTY

Miss Carrie M. Hunt, Oxford.

### FRANKLIN COUNTY

John F. McIntire, Waynesboro.

### PHILADELPHIA COUNTY

Miss Ann DiMarcantonio, 800 Bankers Securities Bldg.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. FREED, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL No. 1544

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealer-users and wholesalers to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to file reports and to compile and retain certain records; requiring registration of vehicles, dealers, and carriers for hire; imposing duties on such persons; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees and providing penalties.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL No. 1692

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "Corporate Net Income Tax Act" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL No. 1693

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing

a tax on gross receipts as an exise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL No. 1695

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "Corporation Income Tax Law" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL No. 1697

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law" by increasing the rate of tax in certain instances from ten percentum to twenty percentum.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL No. 1698

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 789

Mr. MALLERY. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commis-



sions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by making special provision for the purchase of coal for use in any State hospital or any other State institution.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### REPORT FROM COMMITTEE

Mr. KESSLER, from the Committee on Corporations, re-reported as committed, House Bill No. 708, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not theretofore served; providing for regulation of such service after approval; and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission.

### PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, while we are waiting for a report on the Kephart "ripper bill," I would like to give you a brief report on at least two of our mental hospitals in Pennsylvania.

Mr. President, as I told the Senate last week, I have been reviewing the audit reports of the various institutions in Pennsylvania, and the situation which is disclosed in those audit reports is anything but complimentary. Today I will give you a report on two mental hospitals, one is the Retreat State Hospital and the other is the Harrisburg State Hospital. These are the reports for the period ending May 31, 1950.

Mr. President, at the Retreat State Hospital the accounts receivable are \$75,817.67. The accounts written off for services rendered to patients total \$60,881.44. The audit report further discloses that there is \$14,470.06 due from Luzerne County, from the Luzerne County institutional district. The audit report further discloses that the institution is overcrowded. The normal bed capacity is 829, and at the end of the period there were 1112 patients in the hospital.

Mr. President, the audit report further discloses that 435 chickens disappeared from the farm between October 3 and 15, 1949. The State Police were notified, but the loss has been unsolved. Ordinarily, 435 chickens disappearing from a chicken farm or any other place, perhaps, would not be too serious, but I want to say here and now that anybody who would steal 435 chickens which were to be fed to sick patients in a mental institution is the lowest type of person that you can think of. Mr. President, it seems to me that that kind of a situation

would involve an outside job. How anybody could get away with 435 chickens, without somebody being on the inside, is a mystery to me, but if the State Police could not solve it I am not going to attempt to solve it.

In addition to that, Mr. President, the audit report discloses that there were four meetings held by the board of trustees without a quorum, which is in violation of Section 401 of the Administrative Code. The audit report further discloses that the Luzerne County Institutional District, in addition to the sum that I have already mentioned, owes the Commonwealth \$84,590.58 for the maintenance of indigent patients during the period October 1, 1943 to December 31, 1945, and no part of that amount was paid between the period mentioned and the date of the audit report.

Mr. President, the audit report further discloses that there is \$1,426.66 in the patient's account, and by the patients' account I mean the account of money belonging to patients who either died or were discharged from the institution, and the money is still there and has never been distributed. There were five employees who handled funds in the institution who are not properly under bond; as a matter of fact, they are not bonded at all. Frankly, I think something ought to be done to operate this institution in accordance with law and in the best interest of the patients.

Mr. President, at the Harrisburg State Hospital the accounts received are \$130,105.50. The accounts written off for services to the patients totaled \$74,442.72. The audit, in its comments, states as follows and I quote:

"Our audit disclosed that mechanical, electrical and plumbing supplies, having an aggregate value of \$100,000, were not included in the purchase supplies inventory at May 31, 1950. We were informed by representatives of the hospital that a unit control for such supplies is maintained in the storeroom. However, a valuation control, therefor is not maintained on the general ledger of the hospital, without which the system of internal control cannot be stated to be adequate."

Mr. President, you can construe those comments as you please. I went into it a little bit and could not get head nor tail out of just what those comments did mean, but I expect to pursue the matter further.

Mr. President, the audit report further stated that the hospital has been disposing of surplus livestock at the York Livestock Market to the highest bidder, payment for which has been received in the form of credits. These credits have been applied against subsequent purchases of shoats from the same market. Such transactions are contrary to the provisions of Sections 507 and 511 of the Administrative Code. They are not only a violation of the Administrative Code, but a violation of modern practices. I would call that sort of thing bartering, a practice that was used back in the dark ages, not in the year 1951. I have my own suspicions of anybody who engages in transactions of this type.

Mr. President, the audit report further noted, and I quote, "A fixed assets ledger is not being maintained on a current basis, and the custodian of all special funds is not sufficiently bonded."

Mr. President, this institution, too, is overcrowded. The bed capacity in the Harrisburg State Hospital is 2,019. At the end of the period May 31, there was a total of 2,472



patients in the hospital. In my opinion this situation ought to be corrected, as well as the situation at the Retreat State Hospital.

Mr. President, this bill, and I hope it is enacted into law in the closing days of the Session, will help to remedy some of these conditions because it will place the responsibility for accounting, not only for funds but for materials and supplies, upon the Boards of Trustees. It will empower the boards of trustees to appoint an accountant who will be responsible to the Boards of Trustees, and the Boards of Trustees, in turn, are responsible to the Governor.

### BILLS INTRODUCED AND REFERRED

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 936, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns on reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for the collection of moneys due State-owned and operated hospitals.

Which was committed to the Committee on State Government.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by further providing for refusal to issue and revocation of licenses.

Which was committed to the Committee on Public Health and Welfare.

Mr. BYRNE read in his place and presented to the Chair Senate Bill No. 938, entitled:

An Act invoking the police power of this Commonwealth for the protection of persons insured under provisions of industrial life insurance policies issued by insurance companies whose agents are on strike and declaring a moratorium on to the payment of premiums thereon to such companies during the present strike emergency.

Which was committed to the Committee on Judiciary General.

### CALENDAR

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No 788, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations"



by requiring the establishment of a permanent lot care fund with corporate trustees of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots requiring a fixed percentage of the sale price of burial lots to be added to such fund and providing for the repayment of the original deposit in the permanent lot care fund upon compliance with certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 209 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State department boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 209 Cemetery and Burial Corporations In the case of the incorporation of a cemetery or burial corporation as a business corporation the articles shall in addition to the information heretofore required by this article contain a provision (1) that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the corporation shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such corporation that such sum shall be invested by the board of directors in securities which are legal investments for trustees under the laws of this Commonwealth and that the income arising therefrom shall be applied by the board of directors to the foregoing purposes (2) that a permanent lot care fund shall be established prior to the disposal or sale of any burial lots as required by Section 209.1 and (3) that a sum equal to at least one-tenth of the gross sales price of each lot sold shall be deposited in the permanent lot care fund

Section 2 Article II of said act is hereby amended by adding immediately after Section 209 a new section to read as follows

Section 209.1 Cemetery and Burial Corporations Permanent Lot Care Fund In addition to the requirements of Section 209 the incorporators of any cemetery or burial corporation hereafter organized as a business corporation before disposing of any burial lot or making any sale thereof shall cause to be deposited in a bank and trust company trust company or national banking association having fiduciary powers a sum of not less than twenty-five thousand dollars (\$25,000) as a permanent lot care fund for the maintenance of burial lots and shall designate such banking institution as trustees of such fund Whenever burial lots are from time to time sold by the corporation it shall add to the permanent lot care fund a sum equal to at least one-tenth of the gross sales price of each lot sold The permanent lot care fund so established shall be invested in securities which are legal investments for trustees under the laws of this Commonwealth and the corporate trustee shall pay semi-annually the net income from the fund to the cemetery or burial corporation for the purposes herein set forth

Every such cemetery or burial corporation shall before disposing of any burial lot or making any sale thereof cause to be filed with the Department of State an affidavit signed by at least a majority of the board of directors stating that it has caused to be deposited at least twenty-five thousand dollars (\$25,000) as a permanent lot care

fund as hereinbefore provided to which affidavit shall be attached an acceptance by the banking institution designated as trustee thereof acknowledging its acceptance of the trusteeship

Whenever the cemetery or burial corporation shall have deposited in the Fund required to be established by the Provisions of Clause (1) of Section two hundred nine a sum equal to the amount of money required to be originally deposited in the Fund required to be established by this Section It shall submit proof of such fact to the corporate trustee and it shall be the duty of the corporate trustee to thereupon pay over to the cemetery or burial corporation the amount so originally deposited by it in the Permanent Lot Care Fund free and clear of the restrictions and limitations of this section

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY  
THE HOUSE TO SENATE BILL No. 788

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 788.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DISilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 61, as follows:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-two thousand dollars (\$62,000) or so much thereof as may be necessary is hereby specifically appropriated to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania for the two fiscal years beginning June first one

thousand nine hundred fifty-one for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 162, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifteen thousand dollars (\$115,000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 283, as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred twenty-one thousand nine hundred four dollars and fifty-six cents (\$521,904.56) or as much thereof as may be necessary is hereby specifically appropriated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of maintenance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 284, as follows:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-four thousand dollars (\$44,000) or so much thereof as may be necessary is hereby specifically appropriated to the Williamson Free School of Mechanical Trades in Delaware County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of maintenance to be paid according to law.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,



Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 286, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An appropriation is hereby made by the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred thirty (630) wards of the Commonwealth at seven hundred fifty dollars (\$750) per capita per annum and the sum of nine hundred and forty-five thousand dollars (\$945,000) or as much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred fifty-one Absences or vacations of three weeks or less in any fiscal year shall not be deducted but any absences or vacations in excess of three weeks in any fiscal year shall be deducted

Section 2 The appropriation made by section one of this act is made on the condition that every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth (1) shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school and (2) shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defectives or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 370, on third reading, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 455, as follows:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars (\$300,000) or as much thereof as may be necessary is hereby appropriated to the Department of Health for the operation and maintenance of the Institute for Cancer Research Incorporated located at Fox Chase Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 465, as follows:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million three hundred thousand dollars (\$1,300,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one to be paid to State aided medical and surgical hospitals and the Philadelphia General Hospital for the purposes of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments from the appropriation herein made shall be made to such hospitals from time to time at the rate of one hundred fifty dollars (\$150) annually for each student nurse being trained in a hospital

Section 2 The provisions of this act shall be administered under regulations established or to be established by the Department of Welfare and the Auditor General

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 552, as follows:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars (\$5000) or as much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the City of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol buildings or grounds for the two fiscal years beginning June first one thousand nine hundred fifty-one Said sum to be distributed among said companies in equal amounts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,

Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 554, as follows:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred ninety-five thousand dollars (\$495,000) or as much thereof as may be necessary is hereby specifically appropriated to The Glen Mills School situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of maintenance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 560, as follows:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred seventy-five thousand (\$175,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Wharves Docks and Ferries of the City of Philadelphia for the maintenance repair and improvement of the Port of Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one

The money so appropriated shall only be expended as



authorized and directed by the Council of the City of Philadelphia and shall be drawn from the State Treasury upon warrant drawn by the Auditor General upon requisition by the Director of the Department of Wharves Docks and Ferries of said city

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 819, on third reading, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 925, as follows:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only and authorizing licenses and tags for groups of counties The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the nineteenth day

of July one thousand nine hundred fifty-one (Act No. 249) is hereby further amended to read as follows

Section 501 Open Seasons After investigation or information otherwise obtained by the commission as to the annual game supply the commission may by appropriate rules and regulations a summary of which shall be published as hereinafter specified fix seasons shooting hours and daily season possession limits or remove protection and declare an open season or increase reduce or close seasons or increase or reduce bag limits for all species of game birds and game animals throughout the Commonwealth or in any part thereof or limit the number of hunters in any designated area and prescribe the methods of hunting therein when in its opinion such action is necessary to assure the maintenance of an adequate supply of such species or when an unbalanced sex ratio exists which in its opinion should be corrected or when in the opinion of the commission such additional open season will not jeopardize the future supply of game

\* \* \* \* \*

(c) Resident and Nonresident Hunters' Licenses and Tags for Antlerless Deer If in any year the commission by resolution declares an open season for antlerless deer it shall issue resident and nonresident hunters' licenses and tags for antlerless deer to hunt for or kill such deer at a fee of [one dollar and ten cents] one dollar and fifteen cents under such rules and regulations governing the issuance of such licenses and tags as it may deem necessary to limit the number of persons who may hunt for such deer in any county or any group of contiguous counties of the Commonwealth provided public notice of such action is given as hereinafter required and Provided however That no application for antlerless deer licenses received from nonresidents shall be approved or licenses issued except during a period of thirty (30) days immediately preseding the opening date of such antlerless deer season Such licenses and tags may be issued only to holders of resident or nonresident hunting licenses

Resident and nonresident hunters' licenses and tags for antlerless deer shall be issued only [by the Department of Revenue and] by the county treasurers in counties where such deer may be hunted and killed who for that purpose are hereby made agents of the Department of Revenue where the licenses covers a group of counties it may be issued by the county treasurer of any of the counties constituting the group and shall be valid in all of such counties

For services rendered in collecting and paying over fees and issuing licenses and tags by mail or otherwise such agents may retain the sum of [ten] fifteen cents from the amount paid by each licensee which amount shall be paid into the county treasury except that such agents may retain therefrom any amount necessary to reimburse them for any expenses including compensation of employees incurred in collecting such fees and issuing such licenses and tags

[Forty per cent of all antlerless deer licenses and tags shall be made available for issuance by the Department of Revenue The remaining sixty per cent shall be made available for issuance by the county treasurers of the county in which such licenses are to be used]

When such licenses are issued to restrict the number of persons who may hunt antlerless deer in any county or in any group of counties of the Commonwealth any citizen of the United States residing within the Commonwealth who is a bonafide owner or lessee of lands which lie within the county or group of counties declared open to the hunting of said deer or any member of the family or householder or regularly hired help of such owner or lessee if such person is a citizen of the United State actually residing upon and cultivating such lands is hereby declared eligible to hunt antlerless deer without a resident hunters' licenses for antlerless deer upon said property and by and with the consent of the owner thereof upon the lands immediately adjacent and connected with his own lands other than lands owned by or under the control of the Commonwealth

The term "antlerless deer" and "deer without visible

antlers" as used in this subsection or any other provision of the Game Law which this act amends are hereby defined to mean a deer without an antler sometimes called horn the term "antler" as herein used or in any other provision of the Game Law which this act amends meaning the bony growth on the head of a deer regardless of its size or development

When the commission adopts and promulgates such rules and regulations relating to resident and nonresident hunters' licenses and tags for antlerless deer it is unlawful for any person other than a landowner or lessee of the county or of any county in the group of counties or a member of his household as hereinbefore enumerated to hunt for antlerless deer without a resident or nonresident hunters' licenses and tags for antlerless deer or to take such deer contrary to the rules and regulations adopted by the commission

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1065, on third reading, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1066, on third reading, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1121, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1122, on third reading, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1126, on third reading, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1127, on third reading, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1130, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1138, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1141, on third reading, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1143, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boy's Dormitory

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1144 on third reading, entitled:



An Act making an appropriation to the Trustees of the University of Pittsburgh for general maintenance of said university the purchase of apparatus and equipment therefore and maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1146, on third reading, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1147, on third reading, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1148, on third reading, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1150, on third reading, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1165, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1178, on third reading, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1188, on third reading, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1217, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1422, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1423, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1488, on third reading, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1494, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## SECOND READING CALENDAR

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 640, entitled:

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 871, on second reading, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 893, entitled:

An Act requiring one-half of the funds derived by cities of the second class from rentals or charges imposed upon consumers for water services to be used solely for construction reconstruction maintenance improvement and repair of such water works and for payment of obligations incurred for such purposes and prohibiting transfers of such funds

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendments:

Amend Sec. 1, page 2, lines 1 and 2, by striking out "cities of the second class" and inserting in lieu thereof: "any political subdivision; Amend Sec. 1, page 2, line 4, by striking out "council of such cities" and inserting in lieu thereof: "taxing authorities of such political subdivision."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BARR offered the following amendment:

Amend Title, page 1, line 1 and 2 from top, by striking out "cities of the second class" and inserting in lieu thereof: "political subdivisions."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 894, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first class and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 897, on second reading, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employes from the civil service provisions of the Philadelphia Home Rule Charter imposing additional duties upon the Governor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasury shall be determined and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,



The Senate proceeded to the second reading and consideration of Senate Bill No. 927, entitled:

An Act relating to and regulating the contracts of incorporated towns and providing penalties

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinance in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Bill, page 2, by inserting after line 6, the following: Section 2, Whenever heretofore any political subdivision authorized to adopt a building ordinance or code or amendment thereto, has adopted such an ordinance or code or amendment thereto, but inadvertently and without deliberate evasion of the requirements of law, or acting under a mistake of fact or law, has failed to file the same in the office of the recorder of deeds of the proper county, or has failed to file such ordinance, code or amendment thereto in such office within the period prescribed by law, or if the recorder of deeds has failed to properly record and index such ordinance or code or amendment thereto as required by law, such ordinance, code or amendment thereto is hereby validated and confirmed without readoption or re-publication of notice thereof by the political subdivision.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend Title, page 1, last line of the Title, by inserting after the word "deeds" the following: "and validating zoning ordinances or amendments thereof of political subdivisions not filed, recorded or indexed as required by law."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zone of the political subdivision effected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds"

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Bill, page 2, by inserting after line 8, the following: "Section 2, Whenever heretofore any political subdivision authorized to adopt a zoning ordinance or amendment thereto, has adopted such an ordinance or amendment thereto but inadvertently and without deliberate evasion of the requirements of the law or acting under a mistake of fact or law has failed to file the same together with maps or plans of the political subdivision or parts thereof, and statements concerning type and kinds of restrictions or regulations for each zone or area, in the office of the recorder of deeds of the proper county or has failed to file any such ordinance, or amendment thereof or any such maps or plans or statements in such office within the time prescribed by law, or whenever heretofore any recorder of deeds has failed to properly record and index any such material, as required by law, such ordinance or amendment thereto is hereby validated and confirmed for all purposes without re-adoption or re-publication of notice thereof by the political subdivision."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend Title, page 2, last line of Title, by inserting after the word "deeds" the following: "and validating zoning ordinances or amendments thereto of political subdivisions not filed, recorded or indexed as required by law."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1139, entitled:

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board



of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the time and increasing the fee for annual registration of osteopaths

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1330 on second reading, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed certain mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature, or become due and payable and decrees or defects of record arise, occur, exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment, perfect, revive or continue the aforesaid lien charge or encumbrances or to enforce any right arising out of such a defect in title, unless an action is instituted to enforce such charges, mortgages and decrees as aforesaid against the present owners, or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to

determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1497 entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No 141) entitled "An act relating to mental health including mental illness mental defects epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes and adding and changing penalties and providing for commitment of mentally ill persons to Veterans Administration or other agency of the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1638, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income pay-



ments from government agencies shall not be more than that charged to other families of comparable size and income

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1662, on second reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### FIRST READING CALENDAR

### BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 889, entitled:

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 896, entitled:

An Act to confer jurisdiction in habeas corpus upon the several courts of quarter sessions of this Commonwealth and upon the judges thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public

school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 928, entitled:

An Act to further amend Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by fixing the compensation of members of the State Police Force

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1206, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain changes on counties" by further defining "final salary" authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,  
The Senate proceeded to the first reading and consideration of House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The Senate proceeded to the first reading and consideration of House Bill No. 1381, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. T. 401), entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board of Private Trade Schools; and prescribing penalties," by further defining "agent;" prohibiting agents from representing more than one school; clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The Senate proceeded to the first reading and consideration of House Bill No. 1646, entitled:

An Act to add subsection (4) to section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### RECONSIDERATION OF SENATE BILL No. 893

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 893, entitled:

An Act requiring one-half of the funds derived by cities of the second class from rentals or charges imposed upon consumers for water services to be used solely for construction reconstruction maintenance improvement and repair of such water works and for payment of obligations incurred for such purposes and prohibiting transfers of such funds

passed second reading, as amended.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, this bill as originally introduced affected only the city of Pittsburgh, wherein the amount of money collected by the city of Pittsburgh for water rentals, etc., would be put in a special fund and could be used only for maintenance and capital improvements of the water works. The bill was then amended in the Senate Committee on Local Government

to make it effective as of January 1, 1953, due to the fact that the city of Pittsburgh had made their budget commitments for this year and it was then further amended that fifty per cent of the money would go into that special fund.

Mr. President, there is no question that most of the older cities of this State are having trouble with outmoded water lines, filtration plants, etc. Water is, to me, the most important thing that any municipality furnishes to their citizens. Just a short time ago the city of Altoona was suffering from an impasse or, I should say, a lack of water supply. They felt that they would have to build a new reservoir. They were trying to attract new industries into their city, and at the present time their water supply is not ample to take care of what they have. Mr. President, they put a bond issue before the voters and the bond issue was turned down. I can readily see that, perhaps, in the not too distant future the only way that the authorities in Blair County will be able to remedy this situation will be by creating a water authority.

Mr. President, we have at the present time a very unique problem in the city of Pittsburgh, in the county of Allegheny, which I would like to take a moment to acquaint the gentlemen on the other side with. I am only sorry I did not bring with me the presentation that the Mayor of the city of Pittsburgh made to the Committee on Local Government the other morning. Of course, the Democrats are the early risers and there were only a few Republicans there to hear the Mayor at the Committee meeting, which was held at eight o'clock in the morning.

Mr. President, under the Clean Streams Act, by the amendment passed during the Duff Administration to the LaRue Act of 1937, we were forced to create a Sanitary Authority in Allegheny County. This authority was appointed by the County Commissioners after calling together the one hundred thirty some boroughs, townships and third class cities into a meeting. As usual, as things do happen, Mr. President, these boroughs, townships and third class cities, having trouble with their budgets, were not able to put any money into the till, and the city of Pittsburgh has at the present time loaned \$2,000,000 to this Sanitary Authority.

Mr. President, you can readily see if a bill like this is passed, the Sanitary Authority and the work they have done will probably go for naught. Then again there is another problem that faces the city of Pittsburgh. The city does not furnish its complete population with water. The South Pittsburgh Water Company furnishes water to nearly all the residents in Senator Holland's District, south of the Monongahela and Ohio Rivers. Their rate for water exceeds that of the city of Pittsburgh and the city of Pittsburgh must, in turn, pay that extra amount of money.

Now, Mr. President, the Mayor of the city of Pittsburgh appointed in the early part of this year an outstanding committee. I cannot recall, Mr. President, the names of all of the members of that committee, but I do know that the chairman of the committee is the President of the Peoples Pittsburgh Trust, Colonel Robert Downie. I know the President of Carnegie Tech is on the committee. I know that the Chief Hydraulic Engineer for the Aluminum Company of America is a member of the com-



mittee. In fact, I was going over the list the other day, and there are nine on the committee, eight of whom are outstanding Republicans in our community. This committee was appointed to try and resolve this problem, and they are to make their report, and as I understand from Colonel Downie, whom Senator Fleming and I talked to on the phone, and after talking to the Mayor of the city of Pittsburgh, this report will be ready within the next few weeks. I do not know, Mr. President, but I think they are going to recommend probably the creation of an authority in Allegheny County to not only handle the water but this sanitation problem, and maybe the South Pittsburgh Water Company.

Mr. President, this bill in my opinion, contrary to what some may say, may hamper what they intend to do after this report. It is true that I put the amendments in to attempt to kill the bill because, in my opinion, if it is good for Pittsburgh, it is good for every other municipal authority. I have never introduced a piece of legislation in my life which I thought was punitive. I have never tried to embarrass any town or city because its administration happened to be of a different political persuasion than my own. It appears to me that so many times bills of this type appear on the calendar just because the city of Pittsburgh happens to be quite a strong Democratic city.

So, Mr. President, I ask the Members of the Senate to vote down this motion of Senator Walker's because if it is good for the city of Pittsburgh that this money should be earmarked to be used for nothing but water, I again say that the same thing should be done for every other municipality.

Mr. FLEMING. Mr. President, I did not intend to arise on this measure, but the implication certainly is given by my colleague, the gentleman from Allegheny, Senator Barr, that I presented this bill for purely punitive reasons, that I presented the bill, if you please, to embarrass the Democratic Administration of the city of Pittsburgh. That, I assure the Membership of this Senate, is not so. I carefully explained to Senator Barr, I carefully explained to the Local Government Committee of this Senate, that I was putting the bill in at the request of Mr. Rigby, a Member of the House of Representatives, who had asked me to present it for him because the deadline has been established in the House of Representatives prohibiting the further introduction of bills in that chamber. I believe the other Members of the Committee will bear me out that I did so explain.

Mr. President, Mr. Rigby had also informed me that he was introducing the bill at the behest of the League of Women Voters of the city of Pittsburgh, of whom Mrs. R. Templeton Smith is the president or, at least, the spokesman. I agreed to introduce the bill and Mr. Barr has seen fit to argue the merits of the measure on this amendment. Mr. President, I believe in the bill, I believe that the water plant in the city of Pittsburgh has deteriorated to such an extent that it is practically impossible to replace.

Mr. President, I would like to further state that I did call Mr. Downie, the Chairman of the Committee which Mayor Lawrence had appointed to study the water conditions in the city of Pittsburgh. Mr. Downie assured me in two separate telephone calls that whether or not this bill was passed would make absolutely no differ-

ence in the findings of the committee, and that by the passage of this bill we would in no way hamper the work of that committee. Senator Barr showed me the amendment that he had intended to introduce. I told him just a few moments ago that I had no objection to its introduction. In fact, I intended to vote for the amendment, but I am sorry to see that Senator Barr arises on the floor of this Senate and states to the Membership that he has introduced the amendments only with the thought in mind that he would kill the bill.

Mr. President, I can agree with the premise contained in the amendment, that it is good legislation for every municipality in Pennsylvania, and on that basis I can support the amendments. I intend, Mr. President, to still support the amendments, but certainly if he has introduced those amendments with the thought in mind of killing this bill, then I certainly could not ask any of the rest of my colleagues on this side of the house to vote for it. I certainly believe that they are now free to use their own judgment and to vote any way they please on the amendments.

Mr. DENT. Mr. President, I want to assure the gentleman from Allegheny, Mr. Fleming, that Senator Barr has told our Caucus that you introduced this bill at the suggestion and at the request of Representative Rigby. We all know that and I do not think the Senator in any way intended to cast any reflection upon your intentions when the bill was introduced, and I do not think, even at this late stage of the game, that we ought to get personal on the question of who put bills in and why.

Mr. President, I do not want to agree with Senator Barr, and I am sure that every Member who sits down and seriously considers this matter will agree that the most important problem of any community today is the problem of water, and as the years pass it will become increasingly important. I would not like to see anything happen which might injure the chances of the city of Pittsburgh to expand its water works.

Further, as I understand it, Mr. President, this bill was put in at the behest of the League of Women Voters. Now, that may be a very good reason, but I do not think it is sufficient reason for the passage of this or any other legislation. The League of Women Voters has presented to the Senate through one of the other Members of this Senate, a bill on reapportionment. A great many persons thought it was a very good bill, but I do not think it necessarily follows that we have to pass that bill simply because the League of Women Voters presented it. I would say that the duly elected representatives of any community ought to be considered as spokesmen for that community, rather than unofficial organizations made up of volunteers and made up of a membership which is not elected by the people. Mr. President, I think we have sufficient important problems here in Harrisburg and we should not allow any individual or organization to come into these halls and by simply putting their stamp of approval upon legislation, give that legislation any preferential standing.

Mr. President, I want to say that the water works in pretty nearly every community in this State are, in many cases, dilapidated, outmoded and do not give sufficient service for the communities because of the expansion of those communities.

Mr. President, I might say that it has come to my



knowledge, indirectly, of course, that there is a project being framed at this time which will make this legislation unnecessary and will put Pittsburgh's water problem in the background. I understand that on the drafting boards today, in the hands of certain individuals, is a water project which is considered the largest in the entire United States because it will be used purely for industrial and domestic consumption and not used for irrigation. Your larger projects in the West are largely used for irrigating purposes, but this project is to feed and supply the Monongahela Valley and the city of Pittsburgh. Now, the initial cost is close to \$300,000,000. There are plans to create a viaduct which will outshine any other piece of engineering work in the entire world.

Mr. President, here is a peculiar situation. It has been rather a secret up until this moment but I was privileged to speak to some men who know about it and they have told me that it was all right to mention it at any time if I so desired, because they are rather proud of what they have been doing for two years. Westmoreland County is going to be the base for the operation, and that is why I am so proud.

Mr. FLEMING. Mr. President, I want to assure the gentleman from Westmoreland, Senator Dent, that I was not attempting to become personal. I was merely clearing up an implication that certainly was in Senator Barr's speech. I only wanted to do that.

Mr. President, I want to further assure my good friend, Senator Dent, that I do not think all legislation advocated by any group or civic group is, of necessity, good legislation. Probably Senator Dent misunderstood my speech. I stated that I introduced the bill at the behest of Mr. Rigby who, in turn, had done it at the request of the League of Women Voters of the city of Pittsburgh.

Mr. President, I again would like to clear up a point. I, personally, and I direct this particularly to my Republican colleagues on this side of the house, could see no objection to Senator Barr's amendments. I was ready to vote for them myself, but in view of the fact that Senator Barr stated on the floor of this Senate that he introduced the amendments with the thought in mind of killing the bill, I suggest to them that they are free to vote any way they please on these amendments.

Mr. MCGINNIS. Mr. President, here is a perfect example of the Legislature of Pennsylvania interfering with local government. It is just the opposite of what most of us talk about, home rule. The League of Women Voters, if they had any remedy for the water situation in Pittsburgh, should have presented it to city council. They devote all their time to the troublesome problems of the city of Pittsburgh.

Mr. President, the city of Pittsburgh is a large city. We have a splendid water system. I do not think there has been a typhoid case in Pittsburgh in fifty years that could be traced to the water supply of the city of Pittsburgh, but we do have problems. The south side of the city, Senator Holland's District, is furnished water by the South Pittsburgh Water Company, and they are having trouble with their water supply. There is not a person on this floor, including myself, who lives in Pittsburgh who knows very much about the water system and the water needs and requirements of the city of Pittsburgh. Here we are two hundred miles away, and practically none of us know a thing about our water situation, but

our council knows it, our mayor knows it and our people know it.

I say to you, Mr. President, that in a matter of this kind, something we know absolutely nothing about we ought not try to regulate or control the funds of the water system of the city of Pittsburgh.

Mr. LANE. Mr. President, this is purely a Pittsburgh matter. I do not want to get into it too deeply. However, I have profound convictions in regard to legislation earmarking revenues.

Mr. President, it seems to me, as Senator McGinnis has stated, this is a problem for the local government. I do not agree with Senator Barr's amendments making this legislation apply to other political subdivisions. I intend to vote "no" on Third Reading, but I must admit that he has a bona fide argument when he says if it is good enough for Pittsburgh, it is good enough for other political subdivisions in the Commonwealth.

Mr. President, we may be establishing a precedent here by earmarking revenues and hamstringing local governments. They know their problems best. Let us suppose that this Legislature would earmark the revenue which we receive from the tax on real estate transfers, or which we hope to receive, and we earmark that for the purchase of real estate for the Commonwealth of Pennsylvania. Nothing could be more ridiculous.

Mr. President, I say to you that we passed a constitutional amendment earmarking all the revenues which we received from the gasoline taxes, and from license plates and excise taxes and place it in the Motor License Fund. Today that fund has a terrific surplus, and if we could legally do so, we could very easily borrow from that fund and maybe work out our fiscal problems, but, no, we have hamstrung ourselves.

I say to you, Mr. President, that this is certainly a step in the wrong direction because in establishing this precedent our successors in office can look back and say, "Within the year of 1951, we earmarked revenues from a certain water plant whereby it is mandatory that fifty per cent of it must be used for the maintenance and repair of that particular plant." Therefore, Mr. President, I am going to vote "no" on this motion.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

And the question recurring,

Will the Senate agree to the title as amended?

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which the title, as amended, passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

And the question recurring,

Will the Senate agree to the second section?

Mr. WALKER. Mr. President, I move that the Senate



do now reconsider the vote by which the section passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

And the question recurring,

Will the Senate agree to the first section, as amended?

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which the section passed second reading, as amended.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

The PRESIDING OFFICER. The bill, Senate Bill No. 893, is now before the Senate for second reading.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 893, entitled:

An Act requiring one-half of the funds derived by cities of the second class from rentals or charges imposed upon consumers for water services to be used solely for construction reconstruction maintenance improvement and repair of such water works and for payment of obligations incurred for such purposes and prohibiting transfers of such funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### REPORTS FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equip-

ment to carry on the work and making an appropriation therefor" by further increasing the salary of the first aid and mine rescue instructors.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by increasing the salary of mine inspectors.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 44, entitled:

An Act to amend section 1 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation" by increasing the maximum amount of aid payable to any county.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 759, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation protection and development of buildings and grounds at Ephrata Cloisters a famous historical shrine belonging to the Commonwealth.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1483, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Industrial School to acquire additional tracts of land for the use of the Pennsylvania Industrial School and making an appropriation therefor.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1716, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 258, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 285, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn Delaware County to provide adequate school building facilities and providing for a lien against the property improved thereby

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 363, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of furniture, furnishings and historical objects for Pottsgrove Mansion in the Borough of Pottstown.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 511, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration, preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 735, entitled:

An Act making an appropriation to the Department of Welfare for the conversion and maintenance of the Oak-bourne Colony Hospital to a psychiatric hospital for children.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morganza.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate

do now take a recess for five minutes, to permit a meeting of the Committee on Public Health and Welfare.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## REPORT FROM COMMITTEE

Mr. KESSLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KESSLER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by further providing for refusal to issue and revocation of licenses.

## SENATE BILL No. 871 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar, for consideration at this time, Senate Bill No. 871, which went over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LETZLER offered the following amendments:

Amend Sec. 1 page 2, lines 2 and 3, by striking out "first, second, third, fourth," in line 2, all of line 3, and inserting in lieu thereof: "first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth wards." Amend Sec. 1, page 2, lines 5 and 6, by striking out "Twenty-seventh, thirty-" in line 5, all of line 6, and inserting in lieu thereof: "twenty-sixth, twenty-seventh, thirtieth, thirty-fourth, thirty-sixth, thirty-ninth, fortieth, forty-sixth, forty-eighth and fifty-first wards." Amend Sec. 1, page 2, lines 8 to 11 by striking out "fifth, sixth, seventh, eighth," in line 8, all of lines 9 and 10 and "forty-fifth" in line 11, and inserting in lieu thereof: "twenty-fourth, twenty-eighth, twenty-ninth, thirty-second, thirty-seventh, thirty-eighth, forty-fourth, forty-seventh and fifty-second." Amend Sec. 1, page 2, lines 12 to 14, by striking out "twenty-fourth, twenty-" in line 12, all of line 13 and "seventh"



in line 14, and inserting in lieu thereof: "twenty-third, twenty-fifth, thirty-first, thirty-third, thirty-fifth, forty-first, forty-third and forty-fifth"; Amend Sec. 1, page 2, lines 15 and 16, by striking out "twenty-third, thirty-third, thirty-fifth, forty-first and forty-third" and inserting in lieu thereof: "twenty-first, twenty-second, forty-second, forty-ninth and fiftieth"; Amend Sec. 1, page 2, lines 17 and 18, by striking out both of said lines; Amend Sec. 1, page 3, line 1, by striking out "Seventh" and inserting in lieu thereof: "Sixth"; Amend Sec. 1, page 3, line 2, by striking out "Eighth" and inserting in lieu thereof: "Seventh"; Amend Sec. 1, page 3, line 4, by striking out the word "Ninth" and inserting in lieu thereof: "Eighth"; Amend Sec. 1, page 3, line 6, by striking out "Tenth" and inserting in lieu thereof: "Ninth"; Amend Sec. 1, page 3, line 7, by striking out "Bradford and Tioga" and inserting in lieu thereof: "Susquehanna, Wayne and Pike"; Amend Sec. 1, page 3, line 8, by striking out "Eleventh" and inserting in lieu thereof: "Tenth"; Amend Sec. 1, page 3, line 9, by striking out "Twelfth" and inserting in lieu thereof: "Eleventh"; Amend Sec. 1, page 3, line 9, by inserting after the word "Schuylkill" the following: "and"; Amend Sec. 1, page 3, line 10, by striking out "and Montour"; Amend Sec. 1, page 3, line 11, by striking out "Thirteenth" and inserting in lieu thereof: "Twelfth"; Amend Sec. 1, page 3, line 12, by striking out "Fourteenth" and inserting in lieu thereof: "Thirteenth"; Amend Sec. 1, page 3, line 13, by striking out "Fifteenth" and inserting in lieu thereof: "Fourteenth"; Amend Sec. 1, page 3, line 14, by inserting after the word "Carbon" the following: "and"; Amend Sec. 1, page 3, line 14, by striking out "Pike, Wayne and Susquehanna"; Amend Sec. 1, page 3, line 15, by striking out "Sixteenth" and inserting in lieu thereof: "Fifteenth"; Amend Sec. 1, page 3, line 16, by inserting after the word "Perry" the following: "and"; Amend Sec. 1, page 3, line 16, by striking out "and Snyder"; Amend Sec. 1, page 3, line 17, by striking out "Seventeenth" and inserting in lieu thereof: "Sixteenth"; Amend Sec. 1, page 3, line 18, by striking out all of said line and inserting in lieu thereof: "Columbia, Montour, Clinton, Cameron, Potter, Tioga and Bradford. The Seventeenth District shall consist of the counties of Union, Snyder, Mifflin, Huntingdon, Fulton and Franklin"; Amend Sec. 1, page 4, line 4, by inserting after the word "Centre" the following: "and"; Amend Sec. 1, page 4, line 4, by striking out "and Clinton"; Amend Sec. 1, page 4, line 5, by striking out "Fulton"; Amend Sec. 1, page 4, line 6, by inserting after the word "Fayette" the following: "together with the boroughs of Bolivar, Cokeville, Derry, Donegal, Latrobe, Ligonier, Livermore, Mt. Pleasant, New Alexandria, New Florence, Seward and Youngstown and townships of Loyalhanna, Mt. Pleasant, St. Clair and the First Election District of the township of Unity, all in the county of Westmoreland; Amend Sec. 1, page 4, line 7, by inserting after the word "of" where it appears the first time in said line, the following: "all that part of"; Amend Sec. 1, page 4, line 8, by inserting after the part-word "moreland" the following: "not hereinbefore included in the twentieth district together with the city of McKeesport and the boroughs of White Oak, Eden Park, East McKeesport, Wilmerding, Wall, East Pittsburgh, Turtle Creek, Versailles, the First Election Dis-

trict in the borough of Trafford, and North Braddock and the townships of North Versailles and South Versailles, all in the county of Allegheny"; Amend Sec. 1, page 4, line 12, by striking out "Cameron, Potter"; Amend Sec. 1, page 4, line 18, by inserting after the word "Clairton" the following: "And"; Amend Sec. 1, page 4, lines 18, 19 and 20, by striking out the word "and" in line 18 and both of lines 19 and 20; Amend Sec. 1, page 5, lines 1 to 19, both inclusive, by striking out all of said lines; Amend Sec. 1, page 6, lines 1 to 17, both inclusive, by striking out all of said lines, and inserting in lieu thereof: "and the boroughs of Elizabeth, Jefferson, West Elizabeth, Dravosburg, Liberty, Glassport, Port Vue and West Mifflin, and the townships of Forward, Elizabeth, Lincoln and Snowden, all in the county of Allegheny.

"The Twenty-seventh District shall consist of the nineteenth, twentieth, twenty-eighth, twenty-ninth, thirtieth and thirty-second ward of the city of Pittsburgh; the boroughs of Baldwin, Bethel, Brentwood, Bridgeville, Carnegie, Castle Shannon, Crafton, Dormont, Greentree, Heidelberg, Ingram, Mt. Oliver, McDonald, Pleasant Hills, McKees Rocks, Oakdale, Rosslyn Farms, Thornburg and Whitehall, and the townships of Baldwin, Collier, Kennedy, Findlay, Mt. Lebanon, Neville, North Fayette, Robinson, Scott, South Fayette, Stowe and Upper St. Clair, all in the county of Allegheny.

"The Twenty-eighth District shall consist of the first, second, third, fourth, fifth, sixth, ninth, fifteenth, sixteenth, seventeenth, eighteenth, twenty-second, twenty-third, twenty-fifth and thirty-first wards of the city of Pittsburgh, and the boroughs of Braddock, Homestead, Munhall, Rankin, West Homestead and Whitaker, all in the county of Allegheny.

"The Twenty-ninth District shall consist of the seventh, eighth, tenth, eleventh, twelfth, thirteenth and fourteenth wards of the city of Pittsburgh; the boroughs of Braddock Hills, Chalfant, Churchill, Edgewood, Forest Hill, Monroeville, Oakmont, Pitcairn, Swissvale, Verona and Wilkinsburg, and the townships of Penn, Plum and Wilkins, all in the county of Allegheny.

"The Thirtieth District shall consist of the twenty-first, twenty-fourth, twenty-sixth and twenty-seventh wards of the city of Pittsburgh; the boroughs of Aspinwall, Avalon, Bellevue, Ben Avon, Ben Avon Heights, Blawnox, Brackenridge, Bradford Woods, Cheswick, Coraopolis, Edgeworth, Emsworth, Etna, Fox Chapel, Glenfield, Haysville, Lettsdale, Millvale, Osborne, Sewickley, Sewickley Heights, Sharpsburg, Springdale, Tarentum and West View and the townships of Aleppo Crescent, East Deer, Fawn, Franklin, Frazier, Hampton, Harmar, Harrison, Indiana, Kilbuck, Leet, Marshall, McCandless, Moon, O'Hara, Ohio, Pine, Reserve, Richland, Ross, Sewickley, Sewickley Heights, Shaler, Springdale and West Deer, all in the county of Allegheny."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. LETZLER offered the following amendment:

Amend Sec. 2, page 6, line 19, by striking out the word "June" and inserting in lieu thereof: primary".



It was agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to. And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILL OVER IN ORDER

Mr. LETZLER. Mr. President, I ask unanimous consent that Senate Bill No. 871, on second reading, go over in its order as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 44, entitled:

An Act to amend section 1 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation" by increasing the maximum amount of aid payable to any county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morgantown.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of

Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by further providing for refusal to issue and revocation of licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1483, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Industrial School to acquire additional tracts of land for the use of the Pennsylvania Industrial School and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by increasing the salary of mine inspectors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and quali-



fications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" by further increasing the salary of the first aid and mine rescue instructors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1716, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### BILL SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 1669, entitled:

An Act to amend section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by providing for the sale of escheatable property by the Secretary of Revenue.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Saturday, December 15, 1951, at 10 o'clock, a. m., Eastern Standard Time.

Mr. MALLERY. Mr. President, I second the motion.  
The motion was agreed to.

The Senate adjourned at 7:48 o'clock, p. m., Eastern Standard Time, until Saturday, December 15, 1951, at 10 o'clock, a. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

FRIDAY, December 14, 1951

The House met at 12:01 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PRAYER

Reverend John Yates, guest Chaplain and Pastor of the Presbyterian Church, Harrisburg, offered the following prayer:

Most Gracious God we humbly beseech Thee for the members of this House of Representatives assembled: that Thou wouldest direct them in their consultation to the advancement of the honour and welfare of the people of this Commonwealth, so that their confidence in our form of government may be sustained and strengthened, and that peace and justice may be established among us.

In the name of Jesus Christ, our Lord, Amen.

### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Thursday, December 13, 1951? If not, and without objection, the Journal is approved.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1230, entitled:

An Act to further amend subsections (a) and (b) of Section 16 of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further providing for the appointment of certain registrars; removing certain obsolete provisions; and fixing days and hours for registration.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,



The House proceeded to the second reading and consideration of House Bill No. 1231, entitled:

An Act to further amend subsections (a) and (b) of section 17 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors, municipal officers, departments and bureaus, police officers, of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further providing for the appointment of certain registrars; and fixing days and hours for registration.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1398, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry and Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1704, entitled:

An Act to further amend sections 4 and 8 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what

extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties lien; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 765, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing the definition of wages as to the rights and obligations of employers and employes where a successor-in-interest has acquired assets of a predecessor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employes in addition to their retirement allowances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 883, entitled:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board



of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL ON FINAL PASSAGE

#### BILL PASSED OVER

There being no objection

Senate Bill No. 27, Printer's No. 672

was passed over at the request of the SPEAKER.

#### BILLS ON THIRD READING

#### BILLS PASSED OVER

There being no objection

House Bill No. 241, Printer's No. 1119

Senate Bill No. 500, Printer's No. 183

Senate Bill No. 502, Printer's No. 536

Senate Bill No. 503, Printer's No. 537

Senate Bill No. 504, Printer's No. 224

House Bill No. 609, Printer's No. 1120

House Bill No. 617, Printer's No. 1121

House Bill No. 1125, Printer's No. 1122

House Bill No. 1731, Printer's No. 1051

Senate Bill No. 188, Printer's No. 619

Senate Bill No. 586, Printer's No. 290

Senate Bill No. 793, Printer's No. 476

Senate Bill No. 831, Printer's No. 559

Senate Bill No. 869, Printer's No. 603

Senate Bill No. 884, Printer's No. 624

Senate Bill No. 891, Printer's No. 633 and

Senate Bill No. 898, Printer's No. 640

were passed over at the request of the SPEAKER.

#### ADJOURNMENT

Mr. MORAN. Mr. Speaker, I move that this House do now adjourn until Monday, December 17, 1951 at 1:00 p. m.

The motion was agreed to, and (at 12:13 a. m.) the House adjourned.





# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., SATURDAY, DECEMBER 15, 1951.

No. 104.

## SENATE

SATURDAY, December 15, 1951.

The Senate met at 10 o'clock, a. m.,  
By Appointment of the PRESIDENT pro tempore:  
The PRESIDING OFFICER (Fred P. Hare) in the  
Chair.

### PRAYER

In the absence of the Chaplain, the gentleman from Berks, DOCTOR RUTH, offered the following prayer:

Almighty God, to Whom all hearts are open, all desires known and from Whom no secrets are hidden, we gather again in this house to carry on the work which Thou has delegated to us. We pray that Thy Divine Spirit will guide us in our deliberations, that we may wholeheartedly say, Our Father Which art in Heaven, hallowed be Thy name, thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, forgive us our debts as we forgive our debtors, and lead us not into temptation but deliver us from evil, for Thine is the Kingdom and the Power and the Glory forever. Amen.

### CALL FOR A QUORUM

Mr. ROSENFELD. Mr. President, I request a call for a quorum.

Mr. NEFF. Mr. President, I second the request for a call for a quorum.

Mr. DENT. Mr. President, I second the request for a call for a quorum.

Mr. LANE. Mr. President, I second the request for a call for a quorum.

The PRESIDING OFFICER. The request for a quorum having been called for by the gentleman from Philadelphia, Mr. Rosenfeld; the gentleman from Lawrence, Mr. Neff; the gentleman from Westmoreland, Mr. Dent, and the gentleman from Washington, Mr. Lane, the Clerk will call the roll on the quorum.

(During the calling of the roll the following occurred):

### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny Mr. Walker, will state his question of parliamentary inquiry.

Mr. WALKER. Mr. President, I desire to know if the gentleman from Lawrence, Mr. Neff, is recorded as being present.

The PRESIDING OFFICER. The gentleman from Lawrence, Mr. Neff, is recorded as being "present."

Mr. ROSENFELD. Mr. President, I ask for a verification of the roll.

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. RUTH. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will verify the roll.

The Clerk read the names of those having answered "present" as follows:

Dent,	Mahany,	Ruth,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	Meade,	Stevenson,	Wolfe,
Kephart,	Neff,	Taylor,	Wood,
Kessler,	Pechan,	Wade,	Hare,
Lane,	Robinson,	Wagner,	Presiding Officer
Letzler,	Rosenfeld,	Walker,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none.

The yeas and nays were required by Mr. ROSENFELD and Mr. NEFF, Mr. DENT and Mr. LANE and were as follows, viz:

### PRESENT—26

Dent,	Mahanay,	Ruth,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	Meade,	Stevenson,	Wolfe,
Kephart,	Neff,	Taylor,	Wood,
Kessler,	Pechan,	Wade,	Hare,
Lane,	Robinson,	Wagner,	Presiding Officer
Letzler,	Rosenfeld,	Walker,	

The PRESIDING OFFICER. The roll having been called, 26 Senators having answered "Present", the Chair declares a quorum to be present.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. TAYLOR, further reading was dispensed with, and the Journal was approved.

### PETITIONS AND REMONSTRANCES

Mr. ROSENFELD. Mr. President, in view of the problems that have been confronting us, this past week particularly, I, like by colleague from Northampton, Senator Yosko, began to think to myself about by duties here in Harrisburg, my obligations to my constituents as a pub-

lic official, my obligations to my colleagues in the Senate, and my obligations to my own good conscience as a Senator on the question of legislation generally, particularly with respect to what happens in these legislative halls in the waning days or weeks of the Session when all of us in good conscience are supposed to apply ourselves diligently, are supposed to apply ourselves carefully, to what may come before this Body, are supposed to make sure that the constituency of our districts and the constituency of the entire State of Pennsylvania obtained the representation to which they are entitled.

Mr. President, thinking back over the whole course of this Session beginning, as you gentlemen know, back in January of 1951, which to me seems like a long time, it occurred to me that while there has been a lot of wrangling and a lot of discussion and a lot of excitement, there has been not too much activity except with regard, perhaps, to the tax program. Since last January we have had a problem that involved the question of reappointment, among other problems. For the moment, I want to highlight just one or two.

Mr. President, on reapportionment, we know, at least a year ago, that we were going to have to reapportion this Commonwealth, and a committee was named by the President pro tempore of the Senate, I believe way back in January or February. I was made a member of that committee and notwithstanding the fact that I asked the gentlemen from time to time when we might have a meeting of that committee, I was always told that the matter was under discussion; that we had the tax program to get out of the way, and I was put off because there was not any activity. Nothing was done by the committee until the early part of this week, or until the middle of the week. Now, we have been here all week and it is rather difficult for me to remember just when it was during this week, but during this week I was informed that the vice-chairman of the committee was going to arrange for a meeting of the committee so that this matter could be considered.

Finally, Mr. President, late one afternoon, a day or two ago, the committee was hurriedly called to a meeting in the back of this chamber and was told that in order to get something on the Calendar, and in view of the illness of the chairman of the committee, it was suggested that we report out this bill just to begin to get some activity. That bill was brought out. There was no discussion as far as the members on this side of the house were concerned. Yesterday while some of us were trying to do some decent work on other legislation, amendments were put in. I note that the bill now is on the second Reading Calendar, and I suppose it will pass and will go over to the Third Reading Calendar on Monday, and the more I thought about it the more I decided that something must be amiss in our legislative work and in our legislative efforts.

I got back to my hotel, Mr. President, and I thought to myself, I wonder whether it is possible to work out some method of creating a framework within this legislative halls an opportunity to consider carefully and be heard with regard to all kinds of legislation in which they might be interested. As I thought about it, I noticed on the desk in my room the Senate History. It happened to be the revised edition, and it was dated

Monday, December 10, 1951, and I thought, in view of this problem which was irking me considerably, that I might begin to go through this History and actually see what kind of bills had been introduced in the Legislature this year, what happened to those bills, I tried to analyze why the sponsor of a particular measure introduced it and all the trouble and expense that was gone to in printing it. I thought if that interested me as a Member of this legislative body, there must be other Members of this Senate who, too, were vitally concerned about legislation and what happens to legislation, how it happens and what the committee functions are and how changes are made.

Mr. President, I finally concluded that certainly before this Session is over, at least, the benefit of my thinking on this matter might coincide or be interesting to my colleagues in the Senate, and so I decided that when the opportunity presented itself I would get up before this Body and go through the Senate History, maybe the House History, and take up these bills one by one and actually see where we started, where we are going, why we started and why we are going. As I got to the first page of this Senate History, I noted Senate Bill No. 1, and it occurred to me that the gentleman, or gentlemen, who had the honor of introducing the first bill in this Session must have obtained some kind of a thrill. I know, according to the Rules of the Senate, that in the introduction of bills, the President is supposed to start on his left and pick out the first gentleman who arises on the Senate floor on that side of the Chamber, and I thought to myself when Senator Wolfe, or Senator Stevenson or Senator Snowden, and I do not know which one of the three introduced the bill on behalf of the other two, and so you will have to forgive me, one of these three gentlemen obtained the thrill of getting up and introducing in this Body on the 15th day of January, 1951, a long time ago, this Senate Bill No. 1.

Now, Mr. President, it was not a startling piece of legislation, it was not the kind of legislation that was making any kind of history, and so I suppose to that gentleman the thrill was limited merely to the physical act of getting up and being recognized as the first gentleman of this Body having the opportunity to get up and to say, "Mr. President, I read in place and present to the Chair the following bill." That was Senate Bill No. 1. It was a simple little bill appropriating money to the Department of Forests and Waters for the purpose of constructing some new retaining dams some place, and as is the custom when this is done, the Presiding Officer referred this bill to the Committee on Appropriations.

Now, Mr. President, it is interesting to note that notwithstanding the thrill that I am sure my colleague, whomever he was, received when he introduced this bill, I am certain that at least as of December 10 this bill, Senate Bill No. 1, still remains buried somewhere in the archives, if they have any archives, in the office of the Committee on Appropriations. Now, of course, when I think of this important piece of legislation, and it was probably very important to the sponsors of it who apparently felt that this problem needed some legislation, and they could not build retaining dams without getting money somewhere, I think that the committee chairman or the Committee itself apparently were in-



terested in one of the words in the title, and that was "retaining", because that is apparently what the Committee decided to do with the bill, they retained it. Well, that is the history up to now of Senate Bill No. 1. Whether it received the treatment to which it was entitled I cannot say, Mr. President, because I am not too familiar with retaining dams and I am not too familiar with other provisions of the bill. I would not know whether the amount of money set up for it in the bill would be the amount of money which would be required to build one, or two or twenty retaining dams, and I wondered whether I should have become interested in that piece of legislation the moment that it was introduced. That became a problem to me, but I thought that I should not dwell too long on that one bill which was only one problem to at least the three Senators, since there were almost a thousand bills introduced this Session.

Mr. President, I thought it might be more illuminating if I continued to look at some of the other pieces of legislation that were in this History and, perhaps, in a comparison of other similar pieces of legislation which were introduced I might somehow try to analyze more clearly, at least to my own satisfaction, whether the committee properly retained possession of this bill. I know I could have asked a member of the Appropriations Committee what, if any, action had ever been taken, but in the rush of our legislative duties and with the introduction of so many bills which I am certain are important pieces of legislation, I thought that perhaps I might interest myself in those immediate important problems of the moment at that time. So, I decided, for the moment at least, to dismiss the question that were being raised in my mind with regard to Senate Bill No. 1. However, in the course of my browsing through this History, if I should discover that another piece of legislation introduced thereafter might somehow be comparable to what I am sure was intended by Senate Bill No. 1, I want you to know that I will re-refer to that bill, but for the moment I think we can leave Senate Bill No. 1 with the promise, I assure you, that I will re-refer to it if I find it necessary.

Then, Mr. President, I discovered that our President pro tempore either received the attention of the Presiding Officer or else had someone introduce for him, if he was the Presiding Officer, the next bill, Senate Bill No. 2, and, as I say, this, too, was way back on January 15, and it is difficult for me to remember. I must remember to ask someone when I am through here whether Senator Taylor had the distinction of presenting this or whether he was presiding at the time and, therefore, I will have to merely let it go by saying that I assume Senator Taylor or someone on his behalf introduced Senate Bill No. 2 for him. Now, this makes a very interesting contrast.

Mr. President, Senate Bill No. 2 was also an appropriation bill and I assume that at the end of the day when the clerks who have these bills are supposed to turn them over to the committee chairman, and I think get a receipt for them—now, I am not sure, Mr. President, whether that is the procedure because, fortunately or unfortunately, I have never been a committee chairman and so I have never had the honor of having one of the Senate Clerks in charge hand me a bill and ask me to

sign for it. I am sure that I would be thrilled if the occasion ever presents itself when I become a chairman of a committee in this Body and I would just love to sign one of those little receipt books which I have seen being passed around here for a long long time. I have always wondered what the books were like, how many pages they had, whether there was a book for every separate committee or whether the clerk had a book, just one book, which all the committee chairmen signed. I must remember, too, when I am through here today, or tomorrow or next Tuesday, to really inquire because it has been on my mind, and like most of us I have kept it way back in my mind, and while I would think about it every once in awhile I was never, when I thought about it, in a place where I could at the moment find out whether what I was thinking was true or not.

Well, Mr. President, that was Senate Bill No. 2. Now, I do not intend to jump to Senate Bill No. 3 yet, because, as I pointed out a few moments ago, Senate Bill No. 2 and Senate Bill No. 1 both went to the Committee on Appropriations, and as I looked at this History I noticed that this bill, notwithstanding that it was also an appropriation bill, received quite a bit of activity. I noticed that it was referred to the committee on January 15. Then I noticed, oddly enough, that it was reported as committed on January 15 and that, of course, set me off to thinking that there must have been a Committee on Appropriations' meeting that day. Otherwise, how could the bill be reported out? I wondered whether the committee, at the time it considered Senate Bill No. 2, considered Senate Bill No. 1 likewise. Then as I read further, Mr. President, I noted that this bill, which was introduced on January 15 and which was reported as committed on January 15, also had first reading on January 15 and it occurred to me that this bill must have been of tremendous importance or, since the name of the sponsor was the President pro tempore, perhaps the fact that a certain individual introduced it had something to do with the terrific activity and the fast consideration which this bill received.

Mr. President, I noticed again, as I read further, that the following day, on January 16, this bill passed second reading and then, as I looked further, I noted that on the following day, January 17, this bill was passed finally in the Senate and the vote was 49 to 0. Now, that meant, of course, since I was one of the forty-nine Members present, that I was one of those people who voted for the bill. Now, I like to believe that when a piece of legislation is on our Calendar, at least I try and I have always tried to take the time and the trouble to know what I am voting on, and so as I thought back I decided that I must have known. I could have saved myself an awful lot of trouble, and saved myself an awful lot of time, if I had gone beyond the first few words of the title.

Mr. President, when I first looked at Senate Bill No. 2, I noted that it had an appropriation, and not being too accurate with figures—appropriation bills are, I will not say distasteful to me, but they lack the interest that other pieces of legislation have for me—I decided to read the title further. Then I noted that the act made an appropriation to the General Assembly for the payment of the expenses of its Inaugural Committee. Of course, I then realized that the bill really contained a matter which



involved haste, because, if I remember correctly, there was an inaugural either on the fifteenth, sixteenth or seventeenth, and so it became necessary for us, at least, to begin to provide the expenses that the inaugural would cost.

Now, Mr. President, I know that I should have noted that as I went through the title of the bill, and I want to say to the Members of this Senate that I am sorry I had not done this right away, because then it would not have taken me all of this time to explain the doubts which were in my mind and the doubts which were created by the whole subject of legislation generally. However, it was interesting, since we had this inaugural on the fifteenth, or the sixteenth or the seventeenth of January, to read further in the bill and note that it passed the House finally on February 13. Now, without anything further, I could have dismissed the whole idea of appropriations for inaugurals and expenses for inaugurations, and even inaugurations themselves because, frankly, I was not too interested in that inaugural. As I think back, it may be that that was the reason why I was not too attentive when this bill was going through, but in looking the other night and noting that the bill did pass the House finally on February 13, I thought to myself, "I wonder what kind of a snarl we, in the Commonwealth, would have been in if the Senate or the House had decided not to pass this bill." Here we were, in the very peculiar and odd position of holding an inaugural on the 17th of January, and it just seemed like everybody took it for granted that we would eventually pass a bill for the inaugural expenses. Now, I do not know, Mr. President, whether, if we had not passed that bill, the Governor of the Commonwealth might be sued by somebody or how these expenses would eventually be paid. However, since that question itself is a moot one, I do not think that I ought to belabor the point but merely permit my observations with regard to Senate Bill No. 2 go with the very few limited remarks which I made with regard to that bill.

Then, Mr. President, I looked further, and I do hope there is no objection to my considering these pieces of legislation in the order of their number. I know that there are some which are not interesting to everyone, and I know, too, that some of them are not interesting to anyone, some are not even interesting to the sponsor or sponsors, but I am not here for the purpose of trying to analyze what is in the back of the mind of any one of my colleagues who gets up on this floor for the purpose of introducing a bill. I think it is not only a rule of the Senate, but I think our Constitution makes provision for the introduction of bills by Members of this Body, and I do not think anyone has ever questioned that right. So, I decided it would be too much of a job for me, sitting there and thinking about this problem, to try to analyze what goes through the minds of each one of the Members of this Body, beginning with the Majority Leader who sits—well, I should not say he sits, because I notice through most of this Session he has been doing a lot of standing—what goes through his mind when he or any of the Members in his aisle or the aisle next to him, and I am referring to the aisles as they run from this front part of the Senate to the back part of the Senate and not the aisles running from the east part of the Senate to the

west part of the Senate, and so if my colleagues—

### POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, I will give the floor back to the gentleman, I am not attempting to take technical advantage of him. I rise on a point of order, and I will return the floor to the gentleman.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, I understand we are under the order of business, petitions and Remonstrances.

The PRESIDING OFFICER. The gentleman from Allegheny is correct.

### INTERROGATION

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Rosenfeld, permit himself to be interrogated?

Mr. ROSENFELD. I will, Mr. President.

Mr. WALKER. Mr. President, I would like to inquire of the gentleman from Philadelphia, Senator Rosenfeld, if this is a petition or a remonstrance, and if so what is he remonstrating against? I have difficulty in following his discussion.

Mr. ROSENFELD. Mr. President, for the benefit of my friend, Senator Walker, from Allegheny, this is a remonstrance on my part.

Mr. WALKER. Against what is the question raised, Senator?

Mr. ROSENFELD. Mr. President, if the gentleman had listened to me in the beginning, he would have known that my remonstrance was against the method, and the framework, and the results and the whole question of legislation, part of our duties. I explained to the gentlemen, and, if he wants me to, I will start over again.

Mr. WALKER. Mr. President, I wish the gentleman would. I missed the second paragraph. Will he just give it to me again from the beginning?

Mr. ROSENFELD. Mr. President, as I explained to the gentlemen, I was very very much concerned in the last closing days, or weeks or months of the Session, and I cannot say specifically which of the three, because I really do not know whether we are at the closing days, weeks or months of the Session, but I became very much concerned about the very fact action that some legislation was suddenly beginning to take and being very concerned, calling quick committee meetings, considering a bill for a half a minute, bringing it out on the floor for certain purposes, amendments being made, there was very little opportunity for a Senator who was interested in this subject to really analyze what should be done and how we should vote.

Mr. WALKER. Mr. President, I desire to further interrogate the gentleman from Philadelphia, Senator Rosenfeld.

The PRESIDING OFFICER. Will the gentleman from



Philadelphia, Mr. Rosenfeld, permit himself to be further interrogated?

Mr. ROSENFELD. I will, Mr. President.

Mr. WALKER. Mr. President, do I understand that the gentleman is remonstrating against the speed that the Senate is employing at the present time?

Mr. ROSENFELD. No, Mr. President, I am remonstrating against the whole framework of the method that we employ in the introduction, and the consideration and the passage of bills, and I do not know whether the gentleman from Allegheny, Senator Walker, was listening to the few short comments I had to make with regard to Senate Bills No. 1 and No. 2.

Mr. WALKER. Mr. President, it was Senate Bill No. 2 that I missed. I heard his remarks regarding Senate Bill No. 1.

Mr. ROSENFELD. Mr. President, I will repeat, as accurately as I can remember, if the gentleman so desires the remarks that I made with regard to Senate Bill No. 2.

Mr. WALKER. Well, Mr. President, was the gentleman's approach to Senate Bill No. 2 the same as his mental reaction to Senate Bill No. 104?

Mr. ROSENFELD. Mr. President, my approach to Senate Bill No. 2, I was comparing with my approach to Senate Bill No. 1.

Mr. WALKER. I got that, Senator.

Mr. ROSENFELD. Mr. President, if the gentleman from Allegheny would like to know about my approach to Senate Bill No. 104, I will be glad, when I get to Senate Bill No. 104, to compare Senate Bill No. 2 with the approach that I thought was made to Senate Bill No. 104.

Mr. WALKER. Mr. President, the reason for my question, Senator Rosenfeld, is that I am trying to reconcile your position on Senate Bill No. 2 with the vote you cast on Senate Bill No. 104. I thought if you would explain that one now in conjunction with your explanation of Senate Bill No. 2, it would assist us in understanding your very careful statesmanlike approach to Senate Bill No. 104.

Mr. ROSENFELD. Mr. President, I would be pleased to continue with this question and answer period, but I want to assure the gentleman from Allegheny that my mental capacity for doing what I consider a decent and honest job, not only to my good conscience but for the Members of the Senate, would require me to consider these measures in the order in which they are set forth here in the Senate History. So, I must say to my good friend, Senator Walker, if he will have at least a little patience, and I know that is asking an awful lot at this stage of the Session, and I will appreciate it if he can have a little patience, I am sure that the answer to that question, at least, will be received by him. I, of course, cannot guarantee that the answer will be satisfactory to the gentleman because, Mr. President, I think with fifty different Members of this Body, each of them with different minds, and different backgrounds and different approaches to legislation generally, some with no approach at all, some with an indifferent approach, it is very difficult to believe that my approach to a comparison of the motivation in the introduction of Senate Bills Nos. 1 and 2, as compared to Senate Bills Nos. 102 and 104, whether my reactions would coincide with those of the gentleman from Allegheny, but I want to assure the gentleman that

I will be glad to discuss the matter with him at any time that he so desires.

Now, Mr. President, if I may proceed with my discussion of the various bills in the Senate History—

Mr. WALKER. Senator, without depriving you of the floor again, but so that I will be able to follow Senate Bills Nos. 4, and 5 and so on, and I am sorry, Senator, that we do not have all of the House bills here for you to consider, too, because we would appreciate your observation on them.

Mr. ROSENFELD. Mr. President, I have them.

Mr. WALKER. I am so glad, I am so thankful, Senator, because I know that this will be a great contribution to political science in Pennsylvania.

Now, Mr. President, keeping in mind this discussion, I have a letter from the Wyndham Hotel in Fort Lauderdale, Florida, telling me about my reservations during the month of February, 1952. Now, if the Senator would advise me, and pray let us keep this on a high level, what to do with this letter?

Mr. ROSENFELD. Mr. President, I was always under the impression that my good colleague from Allegheny, Mr. Walker, was usually able to accomplish things without reservation, and so I think it should not be a problem to him if he wants to go to Florida of having the problem of reservations. I am sure he will be all right without reservations.

So, Mr. President, in order to bring my colleagues, who are walking in and out of the room, up to date, I have talked about Senate Bill No. 1, and I have talked about Senate Bill No. 2, and if there are not too many interruptions I think we can keep this in some kind of decent order. I will not have any trouble with the pages, Mr. President, because they happen to be clipped into this book in some kind of order, but I may, in the course of considering the bills which are on the pages printed here, skip one or two, but I want to assure you gentlemen that I am not doing it deliberately, and if you will call it to my attention when that happens I will be glad to refer back, because it is not my intention to miss any one of these pieces of legislation.

Now, Mr. President, Senate Bill No. 3, and it is interesting when you get to Senate Bill No. 3 to note that it is at the bottom of the page, because Senate Bill 1 only took up about an inch and a quarter at the top of the page. That was an appropriation bill, if you remember. Senate Bill No. 2 apparently involved a little bit more money and received a little bit more copy, so that that particular bill took up about three inches of the page.

(The Senate was at ease.)

## CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS:

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of public safety regulating the use of highways and the operation of vehicles tractors street cars trolley omnibuses bicycles pedestrians and the riding of animals upon the highways



of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 789

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 789, the Report of a Committee of Conference, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1544

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1544, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1544

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1544, entitled:

"An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records; requiring registration of carriers for hire; imposing duties on such persons, requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties"

Respectfully submit the following bill as our report:

T. N. WOOD,

FRED P. HARE, JR.,

FRANK W. RUTH,

(Committee on the part of the Senate.)

WRAYBURN B. HALL,

ALBERT W. JOHNSON,

ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Fuel Use Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" shall mean and include a partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" shall mean and include a corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Dealer-user" shall mean and include any person who delivers or places fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or who uses fuels within the meaning of the word "use" as defined in this section

"Department" shall mean and include the Department of Revenue of this Commonwealth

"Fuels" shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel vehicles of any kind or character on the public highways except such fuels as are defined as liquid fuels by the act approved the twenty-



first day of May one thousand nine hundred thirty-one (P. L. 149) known as "The Liquid Fuels Tax Act" and its amendments

"Magistrate" shall mean and include a magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Motor Vehicles" shall mean and include all vehicles engines machines or mechanical contrivances which are propelled by internal combustion engines or motors

"Person" shall mean and include every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Public Highways" shall mean and include every way of right including a toll highway for the purpose of or place of whatever nature open to the public as a matter vehicular travel excepting those that are closed or that portion of any stretch which is closed to such travel by order of the State Highway Department for the purpose of construction or reconstruction

"Secretary" shall mean and include the Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Use" shall mean and include (a) the importation into this Commonwealth of fuels in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in excess of fifty (50) gallons and (b) the delivery or placing of fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in this Commonwealth for use in whole or part for the generation of power to propel such motor vehicle on the public highways of this Commonwealth The delivery of fuels into such supply tanks or other fueling receptacles or devices shall constitute a conclusive presumption that the fuel so delivered is to be used in propelling such motor vehicles on the public highways of this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Application for License Licensing of Dealer-Users Bond or Deposit of Collateral Securities (a) On and after the effective date of this act it shall be unlawful for any dealer-user to engage in or thereafter begin to engage in the use or sale and delivery of fuels within this Commonwealth unless a license shall have been issued to him as hereinafter prescribed

Penalty Each day in which any dealer-user shall engage in the use of fuels within this Commonwealth without a license as required by this act shall constitute a separate offense and he shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(b) Every person desiring to operate as a dealer-user shall file an application for a license with the department The application for license with the department The application for license shall be made upon a form prescribed prepared and furnished by the department upon request and shall set forth the name under which the applicant transacts or intends to transact business the location of his principal place of business in this Commonwealth and such other information as the department may require If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for the purpose of identification The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by the executive officers thereof or person specifically authorized by the corporation to sign the application to which shall be attached written evidence of their authority

(c) Upon approval of the application and the bond hereinafter required the department shall grant and issue to each dealer-user a license or licenses which shall at all

times be posted conspicuously at all places where fuels are stored for use or for sale and delivery Licenses shall not be assignable or transferable and shall be valid only for the dealer-user in whose name issued licenses shall be displayed for identification purposes by dealer-users to any officer of the Pennsylvania State Police upon request Licenses shall continue permanently in effect unless surrendered or suspended or revoked for cause by the secretary

Penalty Any person assigning or attempting to assign or transfer a license or who shall fail to display his license as required herein shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) for each offense and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(d) A license shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than five hundred dollars (\$500) Every such bond shall have as surety a duly authorized surety company approved by the Insurance Department of this Commonwealth and signed by a resident Pennsylvania agent of the surety conditioned that the dealer-user shall faithfully comply with the provisions of this act during the effective period of his license The department may require any dealer-user to furnish such additional surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him

For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by a written notice require any dealer-user to furnish a financial statement in such form as it may prescribe Upon failure of any dealer-user to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the license or licenses issued to him and shall collect all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him

Any surety on a bond furnished by a dealer-user as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from date upon which the surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period The department shall promptly after receiving such request notify the dealer-user who furnished the bond and unless the dealer-user shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by the Insurance Department of this Commonwealth the department shall forthwith cancel the dealer-user's license or licenses Whenever a new bond shall be furnished by the dealer-user as aforesaid the department shall cancel and surrender the original bond of the dealer-user as soon as it shall be satisfied that all liability under the original bond has been fully discharged

(e) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer negotiable or assigned bonds which are direct obligations of the United States Government or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person as collateral guarantee of payment of all liabilities accruing under the provisions of this act The State Treasurer shall issue to such person and to the Department of Revenue a certificate of such deposit The said securities shall be retained by the State Treasurer after the termination of the license of such person whether by his own act or the action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue prior to the issuance of certification by the department that all fuel taxes penal-



ties interest fees fines uncollectible check fees and Attorney General's fee have been paid The department shall furnish the State Treasurer with a copy of such certification and authorize the return of said securities by the State Treasurer to the owner

(f) Upon the surrender or revocation for cause of the license of any dealer-user the department shall return surety bonds for cancellation or deposits made in accordance with the provisions of this section only after it is satisfied that all fuel taxes penalties interest fees and fines due the Commonwealth under the terms of the bond and the provisions of this act have been paid

Section 4 Imposition of Tax Exemptions A permanent excise tax at the rate of three cents (3c) a gallon or fractional part thereof is hereby imposed on all dealer-users upon the use as herein defined of fuel within this Commonwealth to be computed in the manner hereinafter set forth The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels used within the Commonwealth and Provided further That no tax is hereby imposed upon (1) any fuel that is used by or sold and delivered to the United States government when such sales and deliveries are supported by documentary evidence satisfactory to the department or (2) upon any fuel not in excess of fifty (50) gallons brought into this Commonwealth in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or (3) upon any fuel used by or sold or delivered for use in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or equipment when such sales and deliveries are supported by documentary evidence satisfactory to the department or (4) upon any fuel used by or sold or delivered to the Commonwealth of Pennsylvania and its political subdivisions when such sales and deliveries are supported by documentary evidence satisfactory to the department

In addition to such tax an additional State excise tax of two cents (2c) a gallon or fractional part thereof is hereby imposed and assessed on all dealer-users upon the use as herein defined of fuel within this Commonwealth within the limitations of the provisions of this section for the period beginning February first one thousand nine hundred fifty-two and ending on the thirty-first day of May one thousand nine hundred fifty-three

Section 5 By whom Tax is Payable Every dealer-user upon whom a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act It shall be the duty of each dealer-user to furnish to the department such information concerning such use as the department may require

Section 6 Dealer-user's Reports and Payments of Tax Discount Allowed Interest and Penalties For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every dealer-user on or before the last day of each month to file with the department upon forms prescribed prepared and furnished by the department a report under oath or affirmation of the fuels used by him within this Commonwealth during the preceding month This report shall include all such information as the department may require and prescribe Dealer-users having more than one place of business within this Commonwealth shall combine in each report the use of fuels at all such separate places of business

Dealer-users at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuels used by him during the preceding month Fuels not accounted for to the satisfaction of the department shall be deemed to have been used for taxable purposes and taxes imposed thereon and collected by the department

If the report required herein is filed and tax paid on time a discount of two per centum (2%) of the gross

amount of tax shall be allowed the dealer-user

The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum (1%) per month or fractional part of a month from the date they are due and payable until paid

If any dealer-user shall fail neglect or refuse to make any report or payment as herein required an additional ten per centum (10%) of the gross amount of tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of a dealer-user may forthwith be suspended or revoked by the department and required to be surrendered to the department

Section 7 Determination and Redetermination of Tax Penalties and Interest Due (a) If any dealer-user shall fail neglect or refuse to secure a license as provided in this act or to file a report and pay the tax imposed by this act or if the department is not satisfied with the report and payment of tax made by any dealer-user under the provisions of this act the department is hereby authorized and empowered to make a determination of the tax due by such dealer-user based upon any information which it may have in its possession or may obtain from other sources

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such dealer-user Within thirty (30) days after notice of any such determination such dealer-user may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within six (6) months after the date of any petition to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of action on petition by the department

(c) Within sixty (60) days after notice by the department of the action taken on any petition for redetermination filed with it the dealer-user against whom such determination was made may be by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the board of Finance and Revenue may prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within six (6) months the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) The department is hereby empowered to redetermine taxes and to authorize adjustments on current fuel use tax reports of dealer-users of overpayments within ninety (90) days of due date and payment providing information in the department's possession warrants such adjustment



**Section 8 Examination of Records and Equipment** The department or any employee appointed in writing by it or any officer of the Pennsylvania State Police is hereby authorized to examine the books and records of account storage tanks motor vehicles and any other equipment of any dealer-user carrier or any other person pertaining to the use sale or delivery of fuels taxable under this act to determine the use or for the purpose of ascertaining whether or not the tax imposed by this act has been paid or to verify the accuracy of any report or payment made under the provisions of this act or to determine the financial responsibility of any dealer-user or the accuracy of any financial statement required to be submitted to the department under the provisions of this act or regulations of the department

The secretary or his deputy is hereby authorized and shall have the power in the enforcement of provisions of this act to hold hearings to administer oaths to witnesses and to take the sworn testimony of any person and cause it to be transcribed into writing

The secretary or his deputy is hereby authorized to issue subpoenas and subpoenas duces tecum and compel the attendance of witnesses and shall have the power to conduct such investigations as he may deem necessary If any person shall refuse access to such books and records of account or other documents or any equipment or if any person shall fail or refuse to obey such subpoenas duces tecum or shall fail or refuse to testify before the secretary or his deputy the Court of Common Pleas of Dauphin County or of any other county in which the dealer-user resides or has its principal place of business or may be found upon application of the secretary or his deputy and after notice to the dealer-user and hearing may issue an order requiring such dealer-user to appear before the secretary or his deputy in obedience to such subpoena and testify and produce books records or other documents or equipment in compliance with such subpoena and upon refusal of the dealer-user to obey such order of the court punish such dealer-user for contempt

**Section 9 Regulations Records Required and Retention of Records by All Dealer-users and Carriers**

(a) The secretary shall have the authority to prescribe all forms upon which reports shall be made to the department and any other forms required for the proper administration of this act and shall prescribe and cause to be published all needful rules and regulations for the enforcement of this act

(b) Every dealer-user shall maintain issue and keep as the case may be for a period of two (2) years complete records of fuels received used sold or delivered within this Commonwealth by such dealer-user including suitable books and records of accounts and such other pertinent papers as may be required by regulation Every carrier shall keep similar records with respect to deliveries of products capable of being used as fuels

(c) Any person shall at the request of the department furnish to it information with respect to all sales and deliveries made by him to licensed dealer-users of such products capable of being used as fuels as may be designated by regulations issued by the department

**Penalty** Any person failing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for not more than thirty (30) days for each offense or both

**Section 10 Disposition and Use of Tax** The permanent and additional State taxes collected under the provisions of this act less discounts allowed shall be paid into the Liquid Fuels Tax Fund and the Motor License Fund in the same proportions as are liquid fuels taxes and are hereby specifically appropriated for the same uses and purposes

**Section 11 Discontinuance of Business by Dealer-user** Whenever a dealer-user engaged in the "use" as defined in this act of fuels ceases to be a dealer-user by reason of discontinuance sale or transfer of his business it shall be his duty to so notify the department in writing within five (5) days after the discontinuance sale or transfer takes

effect His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof It shall also be the duty of dealer-users within ten (10) days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest penalties fees and fines that may be due by him and to surrender to the department the license or licenses issued to him by the department

**Penalty** Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

**Section 12 Suspension or Revocation of Licenses** Whenever the department finds that the holder of a license or licenses has failed to comply with the provisions of this act or regulations issued by the department the department shall notify such holder and afford him a hearing on five (5) days' written notice except as hereinbefore provided After such hearing the department may revoke or suspend the dealer-user's license or licenses and upon suspending or revoking any license shall demand the holder thereof to surrender to it immediately all licenses issued to him and the dealer-user shall surrender within five (5) days all licenses to the department as hereby required

Any holder of a dealer-user's license aggrieved by the decision of the department in suspending or revoking license may within thirty- (30) days appeal to the Court of Common Pleas of Dauphin County from the decision of the department in the manner provided by law for appeals in the case of tax settlements No such appeal shall act as a supersedeas but the suspension or revocation of the license by the department shall remain in full force and effect pending the disposition of the appeal

**Penalty** Any person failing neglecting or refusing to surrender a license suspended or revoked by the department as provided herein shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not less than one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

**Section 13 Lien of Taxes Penalties Interest Fees and Fines** (a) All taxes herein imposed and unpaid penalties interest fees and fines due by any person shall be a lien upon franchises and property both real and personal of such person from the date said taxes penalties interest fees and fines are due and payable as provided in this act and if and when recorded as provided in clause (b) hereof shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties interest fees and fines shall have priority over a mortgage only if the lien thereof were filed of record as provided in clause (b) thereof prior to the recording of the mortgage

(b) Liens and statements of all taxes penalties interest fees and fines herein imposed due and unpaid certified by the secretary or his representative shall be transmitted to the prothonotaries of the respective counties of the Commonwealth through the Department of Justice to be entered of record as of the date due and payable upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

(c) No sheriff receiver trustee assignee master or other officer shall sell the property of franchisees of any person who is a license dealer-user as herein defined without first giving the department thirty days notice of the sale and a statement containing the following information

- 1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is to be made
- 2 Name of the person whose property or franchise is to be sold
- 3 The time and place of sale
- 4 The nature of the property and the location of the



same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish the sheriff receiver trustee assignee master or other officers having charge of the sale a certified statement of all fuel taxes penalties interest fines and fees due the Commonwealth as liens against such person and in case no such liens exist a certificate setting forth that fact which certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all taxes penalties interest fees and fines owing by any licensed dealer-user which are of record in the department as a lien or which may become a lien against any person under the provisions of this act

Section 14 Collection of Unpaid Taxes Whenever the taxes penalties interest fees and fines imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of the department's action on the petition if no petition for review has been filed or within sixty days from the date of decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall request the Department of Justice to collect the same

On all claims for taxes penalties interest fees and fines hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the dealer-user for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars (\$10,000) and three (3) per centum upon the amount of recovery in excess of ten thousand dollars (\$10,000) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the licensed dealer-user and shall be a lien against his property in like manner as the amount of the claim

Section 15 Registration of Carriers and Reports Required of Carriers Every person engaged in or intending to engage in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner for hire to a dealer-user as defined in this act shall register with the department on forms prescribed and furnished by the department upon request

Every person engaged for hire in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner to a dealer-user either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without this Commonwealth shall report under oath or affirmation to the department on or before the last day of each month for the preceding month all deliveries of such products capable of being used as fuels taxable under this act as may be designated by regulations issued by the department made to points within this Commonwealth Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of such products which were transported and delivered together with date of delivery and any other information which the department may require

Penalty Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for thirty (30) days for each offense or both

Section 16 Refunds The Board of Finance and Revenue may refund to dealer-users tax penalties and interest provided by this act and paid by them as a result of an error

of law or of fact or of both law and fact Claims for refund shall be filed with the Board of Finance and Revenue within one year of the date of overpayment and shall be made under the procedure prescribed by The Fiscal Code

All refunds of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in the amounts equal to the original distribution and the payment of such moneys into said funds

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized Estimates of the amounts to be expended from these funds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisitions of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 17 Enforcement The department shall be charged with the enforcement of this act Such employees of the Commonwealth as are designated as "Pennsylvania State Police" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 18 Disposition of Fees Fines and Forfeitures Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeitures that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury by the department and credited to the Motor License Fund

Section 19 Exchange of Information Among the States Issuance and Sale of Lists and Certified Copies of Records The secretary or his representative shall upon request received from the officials to whom are entrusted the enforcement of the fuel tax law of any other state forward to such officials any information for governmental use which it may have in its possession relative to the manufacture receipt sale use transportation shipment or delivery by any person of fuel

The department shall prepare issue and distribute such lists of dealer-users and carriers as may be necessary for the proper administration and enforcement of this act without charge Sales of such lists as are issued by the department under these provisions may be made for other than governmental use and for each list a fee of ten dollars (\$10) shall be charged payable in advance

The fee for each certified copy or certified photostat copy of any department record shall be one dollar (\$1) payable in advance Provided That no fee shall be charged for certified copies or certified photostat copies of any departmental records furnished to any State or Federal Government authorities

Section 20 Uncollectible Checks Whenever any check issued in payment of tax penalties interest fees or fines imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars (\$5) per hundred dollars or fractional part thereof plus all protest fees to the person offering such check in payment

Section 21 Violation (a) Any person who shall fail neglect or refuse to make the report or pay the tax penalties and interest imposed by this act or who shall refuse to permit representatives of the department or the Pennsylvania State Police to examine his books and records of account storage tanks motor vehicles or other equip-



ment pertaining to the use sale or delivery or importation of fuels within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the quantities of fuels used sold or delivered or to avoid the payment of the whole or any part of the tax penalties or interest due shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failure to make the report required and attend to the payment of tax imposed by this act Such fines shall be in addition to any penalty imposed by any other section or subsection of this act Upon conviction all of the guilty dealer-users' licenses shall be revoked

(b) It shall be unlawful for any person to commit any of the following acts

(1) To display or represent as one's own or cause or permit to be displayed any license not issued to the person displaying it or to have unlawfully in one's possession any unsigned fictitious or altered license or any license which is invalid as a result of cancellation suspension revocation by the department or expiration

(2) To give use or enter a false or fictitious name or give use or enter a false or fictitious address in any investigation or on any application business record or report required under the provision of this act or otherwise misrepresent or commit a fraud on any application or business record required under the provisions of this act

**Penalty** Any person violating any of the provisions of this subsections shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one year or both

**Section 22** Carriers registered with the department as such under the provisions of the Fuel Use Tax Act of 1947 as amended shall not be required to register under this act

**Section 23** Saving Clause (a) The passage of this act shall not be taken or construed to relieve any person association or corporation whatsoever from the payment of any tax penalty or interest due or owing the Commonwealth under any laws in force at the time this act becomes effective or to affect or terminate any petitions investigations prosecutions legal or other proceedings pending under such laws or to prevent the commencement of any legal proceedings for violations of such laws heretofore committed or for the recovery of taxes penalties or interest due or owing to the Commonwealth under such laws

(b) All taxes penalties and interest due from users of fuels under laws heretofore in force that are collected or received by the department after the effective date of this act shall be transmitted to the State Treasury through the department and credited to the Liquid Fuels Tax Fund and the Motor License Fund in the proportion provided in the act under which the tax was collected

**Section 24** Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

**Section 25** Acts of Assembly Repealed The act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien

of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refund of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" and its amendments is hereby repealed

All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

**Section 26** Effective Date This act shall become effective on the first day of February one thousand nine hundred fifty-two.

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1544

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1544.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1692

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1692, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1692

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1692, entitled:

"An act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended 'An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock



associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties' by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.,  
FRANK W. RUTH,  
(Committee on the part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 449) are hereby reenacted and further amended to read as follows

#### An Act

To provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions. The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or depend-

ency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institution trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes And provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That on reports filed for the calendar year one thousand nine hundred forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year nor shall any net operating loss sustained by the corporation during the calendar year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or



exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth.

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth.

(c) The remainder of such net income shall be divided into three equal parts.

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated.

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees.

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business.

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules. If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule.

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth.

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth. If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state. In the case of construction contracts negotiated or effected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly

outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect cost incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such portion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth.

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business. "Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions:

(a) All premiums returned on policies cancelled or not taken.

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders.

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums.

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere.

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof.

The singular shall include the plural and the masculine shall include the feminine and neuter.

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income



received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty three

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provision of existing laws

Section 4 [Report] Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine

hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four to transmit to the department upon a form prescribed prepared and furnished by the department [a] an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

[(a)] (1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

[(b)] (2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

[(c)] (3) Such other information as the department may require

[The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of]

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable year one thousand nine hundred fifty-three it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government and had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable year one thousand nine hundred fifty-three every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per



centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable. The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made.

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid. Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court. If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law.

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due.

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act. The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year.

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified.

**Section 5 Consolidated Reports** The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income.

**Section 6 Extension of Time to File Reports** The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act.

**Section 7 Changes Made by Federal Government** (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States. In case a corporation fails to file a report of such correction which results in an increase in net income within the time pre-

scribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part.

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes. Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made. The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements.

(c) Where a report of change correction or redetermination of Federal income or Federal tax has filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with [the] such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary.

(d) The provisions of this section shall not be construed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not allowed as deductions under the definition of "Net Income" as contained in section two of this act.

**Section 8 Settlement and Resettlement** (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made.

(b) Promptly after the date of any such settlement the department shall send by mail or other wise a copy thereof to such corporation. The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations.

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into the possession.

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made.

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements.

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or



appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgate and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall willfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who willfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that his act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the calendar years one thousand nine hundred thirty-five, one thousand nine hundred thirty-six, one thousand nine hundred thirty-seven, one thousand nine hundred thirty-eight, one thousand nine hundred thirty-nine, one thousand nine hundred forty, one thousand nine hundred forty-one, one thousand nine hundred forty-two, one thousand nine hundred forty-three, one thousand nine hundred forty-four, one thousand nine hundred forty-five, one thousand nine hundred forty-six, one thousand nine hundred forty-seven, one thousand nine hundred forty-eight, one thousand nine hundred forty-nine, one thousand nine hundred fifty, one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three or for the fiscal years ending in the calendar years one thousand nine hundred thirty-six, one thousand nine hundred thirty-seven, one thousand nine hundred thirty-eight, one thousand nine hundred thirty-nine, one thousand nine hundred forty, one thousand nine hundred forty-one, one thousand nine hundred forty-two, one thousand nine hundred forty-three, one thousand nine hundred forty-four, one thousand nine hundred forty-five, one thousand nine hundred forty-six, one thousand nine hundred forty-seven, one thousand nine hundred forty-eight, one thousand nine hundred forty-nine, one thousand nine hundred fifty, one thousand nine hundred fifty-one, one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1692

Mr. WALKER. Mr. President, I move that the Senate adopt the report of Committee of Conference on House Bill No. 1692.

Mr. TAILOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Kephart,	Meade,	Taylor,
Barrett,	Kessler,	Neff,	Toole,
Berger,	Lane,	Pechan,	Wade,
Blass,	Leader,	Peelor,	Wagner,
Byrne,	Letzler,	Probert,	Walker,
Chapman,	Mahanay,	Robinson,	Watkins,
Crowe,	Mallory,	Rosenfeld,	Watson,
Dent,	McCreesh,	Ruth,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Wood,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,		Stevenson,	Presiding Officer

#### NAYS—2

Holland, Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.



# REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1693

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1693, as follows:

## REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1693

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1693, entitled:

"An act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694) entitled 'An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire' by eliminating certain deductions further providing for the disposition of moneys received hereunder and changing penalties"

Respectfully submit the following bill as our report:

T. N. WOOD...  
FRED P. HARE, Jr.  
FRANK W. RUTH.

(Committee on the part of the Senate)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER.

(Committee on the part of the House of Representatives)

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions for the calendar year 1951 and thereafter further providing for the disposition of moneys received hereunder and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 451) is hereby further amended to read as follows

Section 3 The amount of excise tax annually to be paid by each company specified in section one of this act shall be as follows (1) In case of a company operating routes which are entirely within the limits of this Commonwealth eight (8) mills upon the dollar upon the gross receipts of such company from all operations for the period covered by such report and (2) in case of a company operating over routes when only a part of such routes lies within this Commonwealth eight (8) mills upon the dollar upon such portion of the gross receipts of such company as is represented by the ratio that the number of miles of routes operated in this Commonwealth by such company during the period for which the report is filed bears to the total number of miles of all routes operated by such company during said period The provisions hereof shall not be construed as exempting any company from complying with the laws relating to fees payable to the Department of Revenue for the registration of motor vehicles [In the event however that an excise tax shall be paid by any company to any city of this Commonwealth for the use of its highways during the period for which the report is filed the amount of such tax so paid may be deducted from the amount of tax payable to the Commonwealth as

above computed upon satisfactory proof to the Department of Revenue of such payment and in addition thereto where any such company shall have paid to the Department of Revenue a registration fee or fees as provided for by the laws of this Commonwealth upon any motor vehicles used in the business of carrying passengers or property for hire over the highways of this Commonwealth it shall receive a credit in each settlement for gross receipts tax made hereunder to the extent of the total amount of the registration fee or fees paid for the calendar year of which the period covered the settlement was a part] Section 2 Section 7 and 9 of said act are hereby amended to read as follows

Section 7 Any company violating any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of [two] five hundred [(\$200)] (\$500) dollars and costs of prosecution or undergo imprisonment for more than one year or suffer both such fine and imprisonment

Section 9 All taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three [division (1)] of this act [from companies operating routes which are entirely within the limits of this Commonwealth] shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund [and all taxes penalties interest and bail forfeited which shall be received recovered paid or collected under the provisions of section three division (2) of this act from companies operating over routes when only a part of such routes lies within the Commonwealth shall be paid into the State Treasury through the Department of Revenue and credited to the Motor License Fund]

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall apply to the excise tax imposed and payable hereunder for the calendar year one thousand nine hundred fifty-one and thereafter

On the question,

Will the Senate adopt the report of the Committee of Conference?

## SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1693

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1693.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—29

Berger.	Letzler.	Probert.	Wagner.
Blass.	Mahanay.	Robinson.	Walker.
Chapman.	Mallery.	Ruth.	Watkins.
Crowe.	McPherson, Jr.	Snowden.	Watson.
Fleming.	Meade.	Stevenson.	Wolfe.
Freed.	Pechan.	Taylor.	Wood.
Kephart.	Peelor.	Wade.	Hare.
Kessler.			Presiding Officer

### NAYE—19

Bane.	DiSilvestro.	McCreesh.	Silvert.
Barr.	Haluska.	McGinnis.	Stiefel.
Barrett.	Holland.	McMenamin.	Toole.
Byrne.	Lane.	Neff.	Yosko.
Dent.	Leader.	Rosenfeld.	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.



# REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1695

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1695, as follows:

## REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1695

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee on Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1695, entitled:

"An act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345) entitled 'An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships State and county officers boards and departments making an appropriation and providing penalties' by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time"

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.,  
FRANK W. RUTH,  
(Committee on the part of the Senate.)  
WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,  
(Committee on the part of the House of Representatives.)

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" are hereby reenacted and amended to read as follows

## An Act

To provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title This act shall be known and may be cited as the "Corporation Income Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include non-profit corporations building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and foreign surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" I Net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any dividends received from any other corporation And provided further That no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year And provided further That in the case of stock life fire casualty and indemnity insurance companies operating on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In the case of corporations owning property or carrying on activities within and without this Commonwealth other than corporations carrying on activities as insurance or surety companies the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by allocations and apportionments of net income as defined in clause one hereof made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth



(c) The resultant net income if any after allocations shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from property and activities assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its property and activities

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from property and activities carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees to the extent of services rendered or work performed in the Commonwealth and similar expenditures to employees not chiefly situated or connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from property and activities assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year from services rendered work and contracts performed and sales made in the Commonwealth and all other gross receipts except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from properties situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from property and activities assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the State but performed in the State

the gross receipts under such contracts shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In the case of corporations carrying on activities as insurance or surety companies within and without this Commonwealth the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by multiplying net income as defined in clause one hereof by a fraction of which the numerator is the gross premiums received from activities carried on within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its activities everywhere

"Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from activities carried on in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Sources within this Commonwealth" includes tangible or intangible property located or having a situs in this Commonwealth and any activities carried on in this Commonwealth regardless of whether carried on in intrastate interstate or foreign commerce

"Carrying on activities" shall include every act power or privilege exercised or enjoyed in this Commonwealth as an incident to or by virtue of the powers and privileges acquired by the nature of the corporate organization

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership joint-stock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate



of five per centum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal year commencing in the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three and ending in the calendar years one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four Provided however That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) as reenacted and amended according to or measured by net income

Except as otherwise provided in this section the tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 [Report] Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-four to transmit to the department upon a form prescribed prepared and furnished by the department [a] an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

[(a)] (1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portion of said return as the department may designate

[(b)] (2) If no return was filed with the Federal Government such information as would have been contained in a return to the Federal Government had one been made and

[(c)] (3) Such other information as the department may require

[The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of all taxes imposed under the provisions of this]

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable year one thousand nine hundred fifty-three it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of

the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable year one thousand nine hundred fifty-three every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing



the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

**Section 7 Changes Made by Federal Government** (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with [the] such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

**Section 8 Settlement and Resettlement** (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts continued in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the

two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

**Section 9 Enforcement Rules and Regulations** Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter of thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine or not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

**Section 10 Retention of Records by Corporations** Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

**Section 11 Penalties** (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses



to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or undergo imprisonment not exceeding six (6) months or both in the discretion of the court. Such penalty shall be in addition to any other penalties imposed by this act.

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations derived from sources within the Commonwealth for the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred fifty-three or for the fiscal years ending in the calendar years one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-four.

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1695

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1695.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Haluska,	Meade,	Taylor,
Barr,	Kephart,	Neff,	Toole,
Barrett,	Kessler,	Pechan,	Wade,
Berger,	Lane,	Peelor,	Wagner,
Blass,	Leader,	Probert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahanay,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.	Stiefel,	Presiding Officer

#### NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1697

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1697, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1697

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1697, entitled:

"An act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' by increasing the rate of tax in certain instances from ten per centum to fifteen per centum"

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.,  
FRANK W. RUTH,  
(Committee on the part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,  
(Committee on the part of the House of Representatives.)

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 757) and the act approved the fourth day of



June one thousand nine hundred forty-three (P. L. 868) is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be imposed upon the clear value of the property subject to the tax and shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of farther mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of [ten] fifteen per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth Provided That when the transfer is by the intestate laws of this Commonwealth and at the expiration of seven years from the date of the death of the intestate the estate of the intestate has not been distributed the taxes imposed by this act shall be at the rate of eighty per centum upon the clear value of the property subject to such tax passing to or from the use of a first cousin or other relative more remote in degree than a first cousin and the taxes imposed by this proviso are imposed upon every transfer by the intestate laws of this Commonwealth of an estate or a portion of an estate which estate or portion thereof shall not have been distributed prior to the passage of this act. In ascertaining the clear value of such estate the only deductions to be allowed from the gross value of such estates by the register of wills shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Territory except as otherwise provided in section one of this act Provided That the deductions herein allowed in the case of any indebtedness of the decedent shall when founded upon a promise or agreement be limited to the extent that they were contracted bona fide and for an adequate and full consideration in money or money's worth and provided further That whenever the allowance of any deduction by the register of wills from the gross value of such estates shall be in dispute the question of allowance shall be determined by the court having jurisdiction of the accounts of the personal representative of the decedent in the adjudication made by such court upon any such account and unless either party shall by exceptions to the account or to the adjudication thereon duly presented as provided by law raise its objection to the allowance or disallowance of a deduction for any credit claimed in the account or any award made in the adjudication as the case may be the adjudication confirming the account or making the award shall conclusively establish that the deduction should be allowed or disallowed as the case may be

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1697

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1697.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—44

Bane.	Haluska.	McPherson, Jr.,	Stiefel.
Barr.	Kephart.	Meade.	Taylor.
Barrett.	Kessler.	Pechan.	Toole.
Blass.	Lane.	Peelor.	Wade.
Byrne.	Leader.	Propert.	Wagner.
Chapman.	Letzler.	Robinson.	Walker.
Crowe.	Mahany.	Rosenfeld.	Watkins.
Dent.	Mallery.	Ruth.	Watson.
DiSilvestro.	McCreesh.	Silver.	Wolfe.
Fleming.	McGinnis.	Snowden.	Wood.
Freed.	McMenamin.	Stevenson.	Hare.

Presiding Officer

#### NAYS—4

Berger.	Holland.	Neff.	Yosko.
---------	----------	-------	--------

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1698

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1698, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1698

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1698, entitled:

"An act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue serving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties"

Respectfully submit the following bill as our report:

T. N. WOOD,  
FRED P. HARE, JR.,  
FRANK W. RUTH,  
(Committee on the part of the Senate.)

WRAYBURN B. HALL,  
ALBERT W. JOHNSON,  
ALBERT S. READINGER,

(Committee on the part of the House of Representatives.)

An Act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Realty Transfer Tax Act"



Section 2 The following words when used in this act shall have meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned or conducted by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency including but not limited to banking institutions

"Department" The Department of Revenue of this Commonwealth

"Document" Any deed instrument or writing whereby any lands tenements or hereditaments within this Commonwealth or any interest therein shall be granted bargained sold or otherwise conveyed to the grantee purchaser or any other person but does not include wills mortgages transfers between husband and wife transfers between parent and child and leases

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Value" In the case of any document granting bargaining selling or otherwise conveying any land tenement or hereditament or interest therein the amount of the actual consideration therefor including liens or other encumbrances thereon or a commensurate part of the liens or other encumbrances thereon where such liens or other encumbrances also encumber other lands tenements or hereditaments Provided That where such document shall set forth a small or nominal consideration the "value" thereof shall be determined from the price set forth in or actual consideration for the contract of sale or in the case of a gift from the actual monetary worth of the property granted bargained sold or otherwise conveyed which in either event shall not be less than the amount of the highest assessment of such lands tenements or hereditaments for local tax purposes

Section 3 Every person who makes executes issues document is made executed issued delivered or accepted delivers or accepts any document or in whose behalf any shall be subject to pay for and in respect thereof or for or in respect of the vellum parchment or paper upon which such document is written or printed a State tax at the rate of one (1) percentum of the value of the property represented by such document which State tax shall be payable at the time of making execution issuance delivery or acceptance of such document

Section 4 The payment of the tax imposed by this act shall be evidenced by the affixing of a documentary stamp or stamps to every document by the person making executing issuing or delivering such document Such stamps shall be affixed in such manner that their removal will require the continued application of steam or water and the person using or affixing such stamps shall write or stamp or cause to be written or stamped thereon the initials of his name and the date upon which such stamps are affixed or used so that such stamps may not again be used Provided That the department may prescribe such other method of cancellation as it may deem expedient

Section 5 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places as it may deem necessary

The department may appoint recorders of deeds or other persons within or without the Commonwealth as agents in accordance with the provisions of The Fiscal Code the Act of April 8 1929 Pamphlet Laws 343 as amended for the sale of stamps to be used in paying the tax herein imposed upon documents and may allow a commission to said agents of one-half of one percent of the face value of the stamps

All moneys paid into the State Treasury during the effective period of this act shall be credited to the General Fund

Section 6 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and means to be used in affixing or cancelling of stamps in substitution for or in addition to the method and means provided in this act

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

No 7 No document upon which tax is imposed by this act shall be made the basis of any action or other legal proceeding nor shall proof thereof be offered or received in evidence in any court of this Commonwealth or recorded in the office of any recorder of deeds of any county of this Commonwealth unless a documentary stamp or stamps as provided in this act have been affixed thereto

Section 8 Every document upon which tax is imposed by this act when lodged with or presented to any recorder of deeds in this Commonwealth for recording shall set forth therein and as a part of such document the true full and complete value thereof or shall be accompanied by an affidavit executed by a responsible person connected with the transaction showing such connection and setting forth the true full and complete value thereof

Any such recorder of deeds who shall record any document upon which tax is imposed by this act without the proper documentary stamp or stamps affixed thereto as required by this act as is indicated in such document or accompanying affidavit shall upon summary conviction before any magistrate alderman or justice of the peace or other officer having the powers of a committing magistrate be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution and in default of payment thereof undergo imprisonment for not more than thirty (30) days Provided That when any document shall have been recorded it shall be presumed that all requirements of law affecting the title to any real property conveyed thereby have been complied with

Section 9 (a) It shall be unlawful for any person to

1 Make execute issue deliver or accept or cause to be made executed issued delivered or accepted any document without the full amount of tax thereon being duly paid or

2 Make use of any documentary stamp to denote payment of any tax imposed by this act without cancelling such stamp as required by this act or as prescribed by the department or

3 Fail neglect or refuse to comply with or violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act

Any person violating any of the provisions of this subsection (a) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00) and costs of prosecution or to undergo imprisonment of not more than ninety (90) days or both in the discretion of the court (b) It shall be unlawful for any person to

1 Fraudulently cut tear or remove from a document any documentary stamp or

2 Fraudulently affix to any document upon which tax is imposed by this act any documentary stamp which has been cut torn or removed from any other document upon which tax is imposed by this act or any documentary stamp of insufficient value or any forged or counterfeited stamp or any impression of any forged or counterfeited stamp die plate or other article or

3 Wilfully remove or alter the cancellation marks of any documentary stamp or restore any such documentary stamp with intent to use or cause the same to be used after it has already been used or knowingly buy sell offer for sale or give away any such altered or restored stamp to any person for use or knowingly use the same or

4 Knowingly have in his possession any altered or restored documentary stamp which has been removed from



any document upon which tax is imposed by this act Provided That the possession of such stamps shall be prima facie evidence of an intent to violate the provisions of this clause or

5 Knowingly or wilfully prepare keep sell offer for sale or have in his possession any forged or counterfeited documentary stamps

Any person violating any of the provisions of this subsection (b) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) and costs of prosecution or to undergo imprisonment for not more than five (5) years or both in the discretion of the court

Section 10 Notwithstanding anything contained in any law to the contrary the validity of any ordinance or part of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto now or hereafter enacted or adopted by any political subdivision providing for or relating to the imposition levy or collection of any tax shall not be affected or impaired by anything contained in this act

Section 11 This act shall become effective the first day of February one thousand nine hundred fifty-two and shall remain in force until and including the thirty-first day of May one thousand nine hundred fifty-three

On the question,  
Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL No. 1698

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1698.

Mr. TAYLOR. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28			
Berger,	Kessler,	Peelor,	Wagner,
Blass,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Ruth,	Watkins,
Crowe,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Kephart,	Pechan,	Wade,	Hare,
			Presiding Officer

NAYS—20			
Bane,	DiSilvestro,	McCreesh,	Rosenfeld,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Toole,
Dent,	Leader,	Propert,	Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR  
BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,  
The Senate proceeded to the third reading and consideration of Senate Bill No. 285, as follows:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand five hundred dollars (\$2500) or as much thereof as may be necessary is hereby specifically appropriated from the State Stores Fund during the fiscal year beginning June first one thousand nine hundred fifty-one to the Board of Finance and Revenue for the payment of approved claims for refund of distillers' licenses for any year following one thousand nine hundred forty-six

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48			
Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

NAYS—0  
A majority of all the Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Clerk present said bill to the House of Representatives for concurrence,  
Agreeably to order,  
The Senate proceeded to the third reading and consideration of Senate Bill No. 285, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn Delaware County to provide adequate school building facilities and providing for a lien against the property improved thereby  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred fifty thousand dollars (\$650,000) or as much thereof as may be necessary is hereby specifically appropriated to the Elwyn Training School at Elwyn Delaware County for the purpose of providing adequate school building facilities

The sum of six hundred ten thousand dollars (\$610,000) of the money hereby appropriated shall be used for the erection of a new school building which shall include a gymnasium Such building shall be completed and furnished from funds raised by the Elwyn Training School

The sum of forty thousand dollars (\$40,000) of the money hereby appropriated shall be used for the purpose of augmenting existing lighting facilities by installing an additional generator The installation of such generator shall be completed from funds raised by the Elwyn Training School

Section 2 the appropriation made hereby shall be a lien on the real estate upon which the contemplated school building facilities and improvements are to be made as provided in the act approved the ninth day of June one thousand nine hundred eleven (P. L. 736) entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" and its amendments which liens shall be collected as therein provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,

Presiding Officer:

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 363, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of furniture furnishings and historical objects for Pottsgrove Mansion in the Borough of Pottstown.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 370, on third reading, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 511, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 640, on third reading, entitled:

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-

seven" by correcting the name of said institution and of the governing board thereof

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 735, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the conversion and maintenance of the Oak-bourne Colony Hospital to a psychiatric hospital for children

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 759, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation protection and development of buildings and grounds at Ephrata Cloisters a famous historical shrine belonging to the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 819, on third reading, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 893, on third reading, entitled:

An Act requiring one-half of the funds derived by cities of the second class from rentals or charges imposed upon consumers for water services to be used solely for construction reconstruction maintenance improvement and repair of such water works for payment of obligations incurred for such purposes and prohibiting transfers of such funds

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 894, on third reading, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first class and second class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wages income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.



## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 923, as follows:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" as amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 366) is hereby further amended to read as follows

Section 3 The effect of the order of the court of common pleas shall be as follows

\* \* \* \* \*

(c) The recorder of deeds shall receive for recording any deed or mortgage [or other instrument] that shall refer to a specific parcel of real estate whether or not said deed or mortgage [or other instrument] shall bear the certificate by the custodian of the lot and block system that the lot and block system descriptive numbers incorporated in the description of the real estate described therein are correct but before transcribing any such deed or mortgage [or other instrument] lacking the certification he shall obtain the same from the custodian of the lot and block system

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 927, as follows:

An Act relating to and regulating the contracts of incorporated towns and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Power to Make Contracts Each incorporated town may make contracts for lawful purposes and for the purposes of carrying into execution the provisions of this and other laws of the Commonwealth

Section 9 Regulation of Contracts (a) All contracts or purchases of incorporated towns in excess of seven hundred and fifty dollars except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the town is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five days notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless council shall prescribe a shorter period of not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

(d) The contracts or purchases made by council involving an expenditure of over seven hundred and fifty dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the incorporated town provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases of work done



(2) Those made for improvements repairs and maintenance of any kind other than construction materials used in a street improvement made or provided by any incorporated town through its own employees

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by council which are patented and manufactured products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

Section 3 Penalty for Personal Interest in Contracts Except as otherwise provided in this act no official of any incorporated town either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the incorporated town or for any work to be done for such incorporated town involving the expenditure by the incorporated town of more than five hundred dollars in any year but this limitation shall not apply to cases where such office or appointee of the incorporated town is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise But in the case of a councilman or president of a town council if he knows that he is within the exception just mentioned he shall so inform council and shall refrain from voting on the expenditure or any ordinance relating thereto and shall in no manner participate therein And official or appointee who shall knowingly violate the provisions of this section shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the town to ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 4 Separate Bids for Plumbing Heating Ventilating and Electrical Work In the preparation for the erection construction and alteration of any public building of an incorporated town when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work The person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

Section 5 Bonds for the Protection of Labor and Materialmen It shall be the duty of every incorporated town to require any person copartnership association or corporation entering into a contract with such incorporated town for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of seven hundred and fifty dollars before commencing work under such contract to execute and deliver to such incorporated town in addition to any other bond which may now or thereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty per centum and not more than one hundred per centum of the contract price as such incorporated town may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the

prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the incorporated town for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the incorporated town for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereof An incorporated town shall not however be liable for the payment of any costs or expense of any suit

Section 6 Publication of Contract Notices in Trade Journals Any incorporated town whose duty it is by law to advertise for bids for public works contracts supplies or equipment may at its discretion legally authorize the publication of such advertising in addition to the newspapers specified by law also in any publication or journal devoted to the dissemination of information about construction work published at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased No such advertisement for bids shall be inserted in any such publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in the Commonwealth for a period of at least eighteen months Such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than fifteen thousand dollars per annum duly certified by a public accountant The rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the act known as the Newspaper Advertising Act

Section 7 Acceptance by Contractor of Workmen's Compensation Act All acts executed by any incorporated town or any officer thereof which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept insofar as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of 1915 and the supplements and amendments thereof and that the said contractor will insure his liability thereunder or file with the incorporated town with whom the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any incorporated town who shall sign on behalf of the incorporated town any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of 1915 and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Any contract executed in violation of this section shall be null and void

Section 8 Architects and Engineers Employed Prohibited from Bidding on Public Works Penalty It is unlawful for any architect or engineer in the employ of any incorporated town and engaged in the preparation of plans specifications or estimates to bid on any public work at any letting of such work in this Commonwealth

It is unlawful for the officers of any incorporated town charged with the duty of letting any public work to award



a contract to any such architect or engineer in the employ of the Commonwealth or of any county city borough incorporated town township or other political subdivision of the Commonwealth

It is unlawful for any architect or engineer in the employ of the Commonwealth or of any county city borough incorporated town township or other political subdivision of the Commonwealth to be in anywise interested in any contract for public work for the incorporated town or receive any remuneration or gratuity from any person interested in such contract

Any person violating any of the provisions of this section shall forfeit his office and shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for not more than six months or both

Section 9 All act or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 929, as follows:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" is hereby repealed

Section 2 Whenever heretofore any political subdivision authorized to adopt a building ordinance or code or amendment thereto has adopted such an ordinance or code or amendment thereto but inadvertently and without deliberate evasion of the requirements of law or acting under a mistake of fact or law has failed to file the same

in the office of the recorder of deeds of the proper county or has failed to file such ordinance code or amendment thereto in such office within the period prescribed by law or if the recorder of deeds has failed to properly record and index such ordinance or code or amendment thereto as required by law such ordinance code or amendment thereto is hereby validated and confirmed without re-adoption or republication of notice thereof by the political subdivision

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 930, as follows:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" is hereby repealed

Section 2 Whenever heretofore any political subdivision authorized to adopt a zoning ordinance or amendment thereto has adopted such (an ordinance or amendment thereto but inadvertently and without deliberate evasion of the requirements of law or acting under a mistake of fact or law has failed to file the same together with maps or plans of the political subdivision or parts thereof and statements concerning type and kinds of restrictions or

regulations for each zone or area in the office of the recorder of deeds of the proper county or has failed to file any such ordinance or amendment thereto or any such maps or plans or statements in such office within the time prescribed by law or whenever heretofore any recorder of deeds has failed to properly record and index any such material as required by law such ordinance or amendment thereto is hereby validated and confirmed for all purposes without re-adoption or republication of notice thereof by the political subdivision

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
DISilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,	Stevenson,	Hare,
			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1065, on third reading, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1066, on third reading, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1121, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1122, on third reading, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1126, on third reading, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1127, on third reading, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1130, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1138, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1139, on third reading, entitled:

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the time and increasing the fee for annual registration of osteopaths

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1141, on third reading, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

go over in its order.



The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1143, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boy's Dormitory

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1144, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefore and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1146, on third reading, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1147, on third reading, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1148, on third reading, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1150, on third reading, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1165, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1178, on third reading, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1188, on third reading, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1217, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1422, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1423, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1488, on third reading, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1494, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1497, on third reading, entitled:

An Act to amend the act approved the twelfth day

of June one thousand nine hundred fifty-one (Act No. 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes and adding and changing penalties and providing for commitment of mentally ill persons to Veterans Administration or other agency of the United States

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1638, on third reading, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1639, on third reading, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## SECOND READING CALENDAR

### BILL, ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 44, entitled:

An Act to amend section 1 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation" by increasing the maximum amount of aid payable to any county.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 708, on second reading, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not therefore served providing for regulation of such service after approval and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 871, on second reading, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 889, entitled:

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 896, entitled:

An Act to confer jurisdiction in habeas corpus upon the several courts of quarter sessions of this Commonwealth and upon the judges thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



## BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 897, on second reading, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employes from the civil service provisions of the Philadelphia Home Rule Charter imposing additional duties upon the Governor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasury shall be determined and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morgantown.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of

expenses and charges in connection with capital improvements to the Norristown State Hospital.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 928, entitled:

An Act to further amend Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department.



thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by fixing the compensation of members of the State Police Force.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for refusal to issue and revocation of licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1206, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by further defining "final salary" authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. MALLERY. Mr. President, I ask unanimous consent that House Bill No. 1330, on second reading, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed certain of mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature or become due and payable and decrees or defects of record arise occur exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrances or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOOD. Mr. President, I ask unanimous consent that House Bill No. 1381, on second reading, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board of Private Trade Schools; and prescribing penalties," by further defining "agent"; prohibiting agents from representing more than one school; clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine



(P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1483, on second reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Industrial School to acquire additional tracts of land for the use of the Pennsylvania Industrial School and making an appropriation therefor

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1646, on second reading, entitled:

An Act to add subsection (4) to section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1662, on second reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by increasing the salary of mine inspectors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" by further increasing the salary of the first aid and mine rescue instructors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1683, on second reading, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1716, on second reading, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, for the information of the gentlemen of the Senate, when we adjourn today we are



adjourning until Monday, and the adjournment time will be fixed at 7:00 a. m., Monday morning.

Mr. President, I am prefacing my remarks by giving you this information so that you will understand the motions which I desire to make.

Mr. President, I refer to page 18 of the Senate Second Reading Calendar. The two bills that are occupying the immediate and enthusiastic attention of the Senate are Senate Bill No. 897 and Senate Bill No. 871, which went over in their order.

**MOTION THAT SENATE BILL NO. 897 AND SENATE BILL NO. 871 BE MADE A SPECIAL ORDER OF BUSINESS**

Mr. WALKER. Mr. President, I move that Senate Bill No. 897 be made a Special Order of Business for 8:00 a. m. on Monday, and that Senate Bill No. 871 be made a Special Order of Business for 1:00 p. m. on Monday.

Mr. TAYLOR. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

**PARLIAMENTARY INQUIRY**

Mr. LANE. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Washington, Mr. Lane, will state his question of parliamentary inquiry.

Mr. LANE. Mr. President, isn't it necessary in the Senate of Pennsylvania where the order of business has been changed that we need a constitutional majority of twenty-six votes?

The PRESIDING OFFICER. For the information of the gentleman from Washington, the answer is, a simple majority.

**POINT OF ORDER**

Mr. DENT. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Westmoreland, Mr. Dent, will state his point of order.

Mr. DENT. Mr. President, under the Senate Rules, Rule No. 29, "The consent of a majority of all members elected to the Senate shall be necessary to alter, change or amend these rules." The procedure in the Senate is defined by the Senate Rules. The daily calendar is a rule of the Senate, and in order to alter that you must change the rule. As I read it, Rule 29 says, "a majority of the members elected to the Senate." Am I right or wrong?

The PRESIDING OFFICER. The Chair rules that only a simple majority is necessary to fix a Special Order of Business.

**POINT OF ORDER**

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, under the Rules of the Senate, Rule 2 is the Order of Business, and under Rule 29, it says a majority of the elected Members must be present to change the Rules of the Senate. Rule 2 gives the Order of Business as follows:

"First, the asking for leave of absence.

"Second, reading of communications.

"Third, introduction of petitions and remonstrances.

"Fourth, receiving of reports from committees, which

shall be called for by the President, according to the order of the committees.

"Fifth, the reading of bills in place. The President commencing on his left and recognizing all in their order from left to right and all bills read in place shall be accompanied by two copies of the same.

"Sixth, the offering of original resolutions.

"Seventh, the consideration of executive nominations.

"Eighth, the reading of bills the third time.

"Ninth, the reading of bills the second time."

Mr. President, these two bills are on the Calendar to be read the second time, and Rule 29, Mr. President, and I can read that again as everybody else can, says, "The consent of a majority of the members elected shall be necessary to suspend any rule except that part of Rule 38 which requires unanimous consent to be given to consider the confirmation of a nomination which has been reported from a committee on that day shall not be suspended.

"The consent of a majority of all members elected to the Senate shall be necessary to alter, change or amend these rules."

Mr. President, my point of order is that it takes, under Rule 29, which I will read again to you the last sentence, "The consent of a majority of all members elected to the Senate shall be necessary to alter, change or amend these rules," and Rule 2 gives the Order of Business in the Senate of Pennsylvania

Mr. WALKER. Mr. President, the motion which I made I will hold in a state of animated stagnation until the gentleman from Allegheny is through.

Mr. President, as every gentleman on the floor of the Senate knows, the motion that I made with regard to this Special Order of Business could be made on Monday morning when we convene and be effective at that time. The purpose of making it at this time, I thought I was serving notice on the other side that there would be a definite period of time set in which we would endeavor to dispose of these controversial problems.

New, frankly, Mr. President, I think that the objections to having this motion made at this point are rather petty, because what we are doing we can do Monday morning when, perhaps, there will be a larger attendance of the Senate on hand.

**MOTION THAT SENATE BILL NO. 897 AND SENATE BILL NO. 871 BE MADE A SPECIAL ORDER OF BUSINESS WITHDRAWN**

Mr. WALKER. Mr. President, therefore, in the light of the objections, which I repeat, in my opinion are rather petty, I will withdraw my motion and make it Monday morning at 7:00 a. m., when, perhaps, there will be a larger attendance of the Senate present. May the gentlemen of the Senate be advised that that motion will be made and, therefore, Mr. President, I withdraw it at this time.

Mr. TAYLOR. Mr. President, I withdraw my second to the motion.

Mr. WALKER. Mr. President, I would like the Senate to thoroughly understand that the motion will be repeated on Monday morning.

Mr. LANE. Mr. President, this is a rather victorious moment for us on the Minority side, and I want to thank



the distinguished Majority Leader for admitting that, for once, the Minority was right.

Mr. WALKER. Mr. President, there was never an admission on my part at any time that the Minority was ever right.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate

do now adjourn until Monday, December 17, 1951, at 7 o'clock, a. m., Eastern Standard Time.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:40 o'clock, p. m., Eastern Standard Time, until Monday, December 17, 1951, at 7 o'clock, a. m., Eastern Standard Time.





# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, DECEMBER 17, 1951.

No. 105.

## SENATE

MONDAY, December 17, 1951.

The Senate met at 7 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Dood) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D. D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

O Lord, our God, we praise Thy name at the dawn of day, and seek Thy help as another week begins. The going has been rough, O Lord, as Thou knowest right well; so we come asking for the grace we need,—the grace to think like statesmen, to behave like gentlemen, and to act like sons of the Eternal God. Amidst all the tensions and struggles, help us not to lose our tempers or our good humor; our patience, nor our sense of proportion. Give us the spirit of fair play, and above all give us a double portion of this Season's spirit of Good Will to all men.

O Lord, Thou knowest the problems these Senators face as they seek to serve according to their convictions. Guide them, Lord, and help them to want Thy guidance, that they may know what's right, rather than who's right. So may this Senate proceed with its tasks in such a manner that will do credit to this Republic, advance the welfare of the Commonwealth, and serve the Kingdom of God on earth. In the Name of the Prince of Peace, Amen.

### APPROVAL OF JOURNAL

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding Session.

Mr. WALKER. Mr. President, I move that further reading of the Journal be dispensed with, and the Journal be approved.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

### POINT OF ORDER

Mr. NEFF. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Lawrence, Mr. Neff, will state his point of order.

Mr. NEFF. Mr. President, I refer you to the Rule of

the Senate of Pennsylvania, "Duties of the President—Taking the Chair.

"1. The President shall take the Chair, each day, at the hour to which the Senate stands adjourned, when he shall call the members to order, and on the appearance of a quorum, shall cause the Journal of the preceding legislative day to be read, which the Senate shall have the power then to correct."

### POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, there is a motion on the floor.

### PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his question of parliamentary inquiry.

Mr. DENT. Mr. President, is it not proper that the point of order raised by the gentleman, Senator Neff, be answered before the motion is put to a vote?

The PRESIDENT. It should.

Will the gentleman from Lawrence, Mr. Neff, please restate his question. I am sorry I did not hear it.

Mr. NEFF. Mr. President, I call the attention of the Chair that Rule No. 1 of the Rules of the Senate of Pennsylvania provides that the Journal of the preceding legislative day be read, which the Senate shall have the power then to correct. I am simply asking that the Chair confine himself to the rule and that the Journal be read.

The PRESIDENT. There is a motion already on the floor to approve the Journal as read.

Mr. NEFF. Mr. President, I refer you to Rule 29.

The PRESIDENT. That can be suspended, if that is your problem, under the rules, by twenty-six votes.

Mr. NEFF. Mr. President, will it not take a majority of the Senators elected to suspend the rule?

The PRESIDENT. That is correct.

### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his question of parliamentary inquiry.

Mr. WALKER. Mr. President, do I understand that the Chair has ruled that my motion to approve the Journal is changing the rules, or amending the Rules of the Senate or waiving the Rules of the Senate?

The PRESIDENT. That is correct.

Mr. WALKER. Mr. President, may we be at ease for a moment?

(The Senate was at ease.)

### JOURNAL APPROVED

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 17, 1951.

Mr. MEAD. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, December 17, 1951

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Chester E. Allen, Aspinwall.

Bert Schwartz, Pittsburgh, 2033 Center Ave.

#### BEAVER COUNTY

Russell C. Smith, Aliquippa.

#### CAMBRIA COUNTY

Frank J. Pentrack, Johnstown.

Morton H. Robbins, Johnstown.

#### DAUPHIN COUNTY

Donald M. Gerber, Harrisburg.

#### MONTGOMERY COUNTY

Miss Ritanne Malone, Lower Merion Twp., Ardmore.

#### PHILADELPHIA COUNTY

Richard I. Hollander, 600 W. Girard Ave.

Mrs. Celeste VanZandt, 642 E. Allegheny Ave.

JOHN S. FINE

A motion was made by Mr. WATSON and Mr. MEADE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.,	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Probert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed.	McGinnis,	Snowden,	Yosko,

NAYE—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealers, users and wholesalers to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible checks fees and Attorney General's fees; to file reports and to compile and retain certain records; requiring registration of vehicles, dealers, and carriers for hire; imposing duties on such persons, imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees and providing penalties.

House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "Corporate Net Income Tax Act" by further defining net income, changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time.

House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "Corporation Income Tax Law" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.



House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law" by increasing the rate of tax in certain instances from ten per centum to twenty per centum.

House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders, of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto" and providing penalties.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

SENATE BILL No. 897 MADE A SPECIAL ORDER OF BUSINESS FOR MONDAY, DECEMBER 17, 1951 AT 3:30 O'CLOCK P. M., EASTERN STANDARD TIME

Mr. WALKER. Mr. President, I move that Senate Bill No. 897, on the Second Reading Calendar, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employees who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employees from the civil service provisions of the Philadelphia Home Rule Charter imposing additional duties upon the Governor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employees who were not heretofore City employees but who were paid out of the City treasury shall be determined and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars

be made a Special Order of Business, Monday, December 17, 1951, at 3:30 o'clock p. m., Eastern Standard Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 3:25 o'clock p. m., Eastern Standard Time, to permit a Democratic Caucus and a Republican Caucus.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

SPECIAL ORDER OF BUSINESS ON SENATE BILL No. 897, ON SECOND READING, MONDAY, DECEMBER 17, 1951, AT 3:30 O'CLOCK P. M., EASTERN STANDARD TIME

The PRESIDENT. The hour of 3:30 o'clock, p. m., Eastern Standard Time, having arrived, the next order of business is the Special Order of Business on Senate Bill No. 897, on second reading,

Senate Bill No. 897 is now before the Senate.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 897, entitled

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employees who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employees from the civil service provisions of the Philadelphia Home Rule Charter imposing additional duties upon the Governor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employees who were not heretofore City employees but who were paid out of the City treasury shall be determined and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 1, page 2, line 2, by striking out "integrate" and inserting in lieu thereof the following: "provide for the integration"; Amend Sec. 1, page 2, line 4, by inserting after "fifty-one" the following: "of"; Amend Sec. 1, page 2, line 4, by inserting after the word "of" the following: "certain of"; Amend Sec. 1, page 3, lines 1 and 2 by striking out the words "and to fix the status of former County employees in Philadelphia"; Amend Sec. 1, page 3, lines 3 and 4, by striking out "Managing Director, Director of Finance" and inserting in lieu thereof "and"; Amend Sec. 1, page 3, lines 4 to 7 both inclusive by striking out "Administrative Board Health Commissioner Com-" in line 4, all of lines 5 and 6 and "Property Personnel Director and Civil Service Commission" in line 7. Amend Sec. 1, page 3, line 8, by striking out "departments board and commission".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 3, line 10 to 19, by striking out all

of said lines; Amend Bill, page 4, lines 1 to 20 by striking out all of said lines; Amend Bill, page 5, lines 1 to 20, by striking out all of said lines; Amend Bill, page 6, lines 1 to 19, by striking out all of said lines; Amend Bill, page 7, lines 1 to 19, by striking out all of said lines; Amend Bill, page 8, lines 1 to 20, by striking out all of said lines; Amend Bill, page 9, lines 1 to 20, by striking out all of said lines; Amend Bill, page 10, lines 1 to 12, by striking out all of said lines, and inserting in lieu thereof, the following: "Section 2. (a) Within thirty days after the first Monday of January, one thousand nine hundred fifty-two the Governor and the Mayor of Philadelphia shall appoint a bipartisan commission for the purpose of framing a supplement or certain amendments to the Philadelphia Home Rule Charter as hereinafter provided. Five members to be appointed by the Governor and five by the mayor. Each member shall be a registered elector of the city. Any vacancy in the membership of the commission caused by death, resignation, removal from the city, or otherwise shall be filled by the officer who appointed the member whose position is vacant, by appointing as a member of the commission a registered elector of the city"; (b) The amendments or supplement to be framed by said commission shall be only such as may be necessary to transfer, merge or distribute functions and duties heretofore performed by all former county officers in accordance with the purposes and intent of Article fourteen, section eight of the Constitution of Pennsylvania, and shall provide for the manner of selection, whether appointed or elected, and if appointed, by whom, and for the terms, if any, of officers designated for the performance of such functions and duties, and whether any of such former county officers of Philadelphia or their officers, shall be continued or abolished: Provided, however, That this shall not apply to the Board of Revision of Taxes and the Registration Commission of Philadelphia; (c) The commission created under the provisions of this section shall organize, hold meetings and carry out its functions in the same manner as the Philadelphia Charter Commission appointed under the provisions of the First Class City Home Rule Act; (d) The amendments or the supplement when prepared by the commission shall be submitted to the city council which shall cause said proposals together with the form of the proper question or questions to be printed for distribution and shall provide for the submission of such proposed amendments or supplement to the qualified electors of the city for their approval or disapproval at a special election on a day fixed and designated by ordinance in the same manner as provided for in sections nine and ten of the First Class City Home Rule Act; (e) Any of said amendments or any such supplement to the charter which are approved by a majority of the qualified electors voting thereon shall become the organic law of the city at such time as may be fixed therein; (f) All present county officers shall continue to perform their duties and be elected, appointed, compensated and organized in such manner as may be provided by the provisions of the Constitution and the laws of the Commonwealth until the provisions of the supplement or amendments to the Philadelphia Home Rule Charter authorized hereby become effective; (g) No amendments or changes shall be framed by the commission, or submitted to the vote of the elec-

tors under the provisions of this section which shall be in conflict or inconsistent with other provisions of this act.

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 10, lines 13 to 20, by striking out all of said lines

Amend Bill, page 11, lines 1 to 20, by striking out all of said lines; Amend Bill, page 12, lines 1 to 8, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 12, lines 9 to 13, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 12, lines 14 to 20, by striking out all of said lines; Amend Bill, page 13, lines 1 to 4, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 13, lines 5 to 14, by striking out all of said lines

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 7, page 13, line 15, by striking out the figure "7" and inserting in lieu thereof "3"; Amend Sec. 7, page 13, line 15, by striking out "hereby".

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 8, page 13, line 20, by striking out the figure "8" and inserting in lieu thereof "4"; Amend Sec. 8, page 14, line 4, by inserting after the word "of" where it appears the second time the following "any amendments or supplements to the Philadelphia Home Rule Charter adopted pursuant to"; Amend Sec. 8, page 14, line 5, by striking out "passage of this act" and inserting in lieu thereof "adoption of such amendments or supplements"; Amend Sec. 8, page 15, line 6, by inserting after the word "by" the following "any amendments or sup-



plements to the Philadelphia Home Rule Charter adopted pursuant to."

They were agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 15, line 10 to 18, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 15, by striking out line 19.

Amend Bill, page 16, lines 1 to 11, both inclusive by striking out all of said lines and inserting in lieu thereof; Section 5. All of the provisions of the Philadelphia Home Rule Charter, not inconsistent with this act, shall be applicable and in full force and effect; Section 6. The members of the Registration Commission and the Board of Revision of Taxes shall continue to be appointed and compensated as provided by law, and they shall receive such compensation as they now receive. The Registration Commission and the Board of Revision of Taxes shall continue to appoint such assistants and employes as provided by law.

They were agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 11, page 16, line 12, by striking out the figure "11" and inserting in lieu thereof "7".

It was agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 12, page 16, line 17, by striking out the figure "12" and inserting in lieu thereof "8"; Amend Sec. 12, page 17, line 4, by striking out "Of the" and inserting in lieu thereof "The"; Amend Sec. 12, page 17, lines 5 and 6, by striking out "only the District Attorney and the Sheriff"; Amend Bill, page 17, by inserting after line 17, the following "Section 9. All acts and parts of acts, general, local and special, inconsistent with the provisions of this act, are hereby repealed."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KEPHART offered the following amendments:

Amend Title, page 1, lines 5 to 8 both inclusive by striking out lines 5, 6 and 7, and "under" in line 8 and inserting in lieu thereof the following: "by amendments or supplement to"; Amend Title, page 1, last line of title, by striking out "and upon what"; Amend Title, page 2, lines 1 to 12 of title, by striking out all of said lines.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 871 CALLE DUP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar Senate Bill No. 871.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL OVER IN ORDER, TEMPORARILY

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 871, on second reading, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts

go over in its order, temporarily, for the purpose of further conference.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### SENATE BILL No. 285 CALLED UP FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 285.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF SENATE BILL No. 285

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 285, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn, Delaware County to provide adequate school building facilities.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. PRESIDENT, I voted with the majority.

The motion was agreed to.

And the question recurring,  
Will the Senate agree to the bill on third reading?

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 285, be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

### SPECIAL COMMITTEE APPOINTED ON SENATE BILL No. 871

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of the gentleman from Lancaster, Mr. Diehm; the gentleman from Clearfield, Mr. Letzler; the gentleman from Bucks, Mr. Watson; the gentleman from Susquehanna, Mr. Robinson; the gentleman from Allegheny, Mr. Holland; the gentleman from York, Mr. Leader; the gentleman from Fayette, Mr. Bane, and the gentleman from Philadelphia, Mr. Rosenfeld, as a Special Committee on Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

### CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### REPORT OF COMMITTEE OF CONFERENCE

### OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 789, the Report of Committee of Conference, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 44, as follows:

An Act to amend section 1 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation" by increasing the maximum amount of aid payable to any county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation" is hereby amended to read as follows

Section 1 Be it enacted &c That a system of State-aid for the maintenance of free public non-sectarian county libraries in counties of the third fourth fifth sixth seventh and eighth classes is hereby established The annual aid by the Commonwealth to any such county library shall be measured by the amount appropriated annually by the county commissioners from county moneys for the maintenance of any such county library and shall be determined as follows



Classes of Counties	Percentage of Aid Calculated on County Appropriation
3	20%
4	25%
5	33%
6	50%
7	75%
8	125%

The amount to be paid by the Commonwealth for the maintenance of any county library shall not in any year exceed [two thousand five hundred dollars (\$2500)] four thousand dollars (\$4000) and such payment shall be made to the board of trustees in charge of any such free public non-sectarian county library A report of the expenditure of such State moneys shall be made annually to the county commissioners and the Department of Public Instruction in such form as the department may require

Section 2 The provisions of this act shall become effective the first day of June one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson.
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 363, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of furniture furnishings and historical objects for Pottsgrove Mansion in the Borough of Pottstown.

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 370, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

REQUEST THAT BILL GO OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 370, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

And the question recurring,

Shall the bill pass finally?

Mr. DENT. Mr. President, before the passage of the bill, I would like to explain that this is a bill making an appropriation which requires a two-thirds vote in the Senate. We are in the midst of negotiations attempting to iron out differences in the reapportionment bill. I believe that the Democratic position, as stated to me by the Democratic Caucus, is that we cannot at this time vote for these appropriations since only in this manner have we the legislative power to call to the attention of the people in Pennsylvania the seriousness of the reapportionment bill. It is a position that we do not want to take, it is a position that we feel is not necessary at this time.

Mr. President, we feel that this committee which has just gone off the floor has an even chance of working out the major differences in the reapportionment bill. I do not want to get into that bill at this moment, because I think when that committee reports that some of the clauses will be changed and that we may have an opportunity to, at least, get as good a bill as it is possible to get under the conditions, but when we realize what is happening to that particular bill any student of government reading it I do not think would object to the position that the Democratic Caucus is taking upon this legislation. Therefore, I want it clearly understood that we will ask for a roll call on every bill bearing a House number relating to appropriations. We do not want to resort to this weapon, but in a Democracy we must resort to whatever weapons we have at hand along parliamentary lines to call attention to the iniquities as we find them on the Legislative Calendar.

Mr. President, we seriously feel that this matter of reapportionment is one that demands the attention of this Senate, one that has not been treated as openly as it should have been. There have been no meetings of the Reapportionment Committee where we have been asked to attend over the eleven and one-half month period, and here in the last week of the Session we find a reapportionment bill, Mr. President, which does not even resemble the bill which was introduced after eleven and one-half months of study. Somewhere along the line there must be a misunderstanding. We would like to call it to the attention of the Senators on the other side that this is a serious matter and, therefore, if the desire is to call the roll on this bill, I am asking the Democratic Members to vote "no."

Mr. WALKER. Mr. President, of course, neither the gentleman from Westmoreland nor I have any desire to debate Congressional Reapportionment in the face of this bill. The gentleman has linked the two together because of the position which he has just stated on the floor

of the Senate as being the position of his caucus. Mr. President, the same problem confronted the Majority side when we were conferring on the Philadelphia bill, and if memory serves me rightly, the same difficulty arose, the same statements were made to us privately. Therefore, we have been deferring action on appropriation bills similar to the bills which are now before us on Third Reading, trying to adjust the differences between the Majority and the Minority Party on the Kephart Bill which just passed Second Reading awhile ago.

You know, Mr. President, the suggestion is made by the gentleman from Westmoreland that the Democrats feel the only weapon which they have available to them from a legislative standpoint is to hold up these appropriation bills, pending an amicable adjustment of the differences of opinion on Congressional Reapportionment. Mr. President, without getting into a discussion on reapportionment or the bill which appears on the Senate Calendar, I think every Member of the Senate is thoroughly familiar with the fact that a great many Members of the Senate on both sides of the aisle are very unhappy over the reapportionment bill and are hopeful that some remedial changes are made which will improve the bill, at least as far as their respective districts are concerned. I think many of us are directly affected, by what they did to our particular geographical subdivision on reapportionment, and we all appreciate the fact, Mr. President, that Congressional Reapportionment must be a discharged responsibility of this General Assembly before we adjourn sine die in order to avoid the very distressing problem of having the Congressmen of Pennsylvania elected at large, but, Mr. President, the Majority feels that the reapportionment bill must stand or fall, regardless of the other problems involved. It must rest upon its own merits and be determined accordingly. We do not agree with the Minority, Mr. President, that a legislative weapon such as the use of bills which are not germane to reapportionment should be employed as a wedge or as a road block to further discussion on reapportionment.

It is true, Mr. President, that back in the conference room are eight Senators who are trying to work out the differences of opinion. What they do with reapportionment has, for example, nothing to do with the problem as to whether or not the George Jr. Republic School, in Mercer County, shall receive an appropriation of \$50,000 or whether or not this Senate of Pennsylvania will approve the House bill appropriating moneys to Temple University, Jefferson Medical School and to the University of Pennsylvania. Those things are not germane and are not related, and in a representative form of government, which I think is the same type of government that Senator Dent refers to as a Democracy, and which we on this side refer to as a Republic, legislation presented to the gentlemen of the Senate should be determined upon its merits. Therefore, Mr. President, if the Minority feels that they must vote against these bills in order to prove that they do not like the reapportionment bill, then that is the position that they will have to take because the roll will be called on those bills and the roll will be verified, because we feel that reapportionment will have to be fought out on its own merits and not attempted to be flavored or influenced by any other bill on the Calendar.

The same thing was presented to us, as I have said, on

the Philadelphia bill and now comes the reapportionment bill. Tomorrow it will be another bill. We think it is about time we cleaned up this Calendar, because, gentlemen of the Senate, we are going to adjourn sine die this week and, therefore, our legislative responsibilities must be discharged.

Mr. DENT. Mr. President, let us understand each other clearly. This is not cleaning up the Calendar because, Mr. President, the reapportionment bill is a Senate Bill on Second Reading. These bills are House Bills on Third Reading. It only requires one more reading and they can be passed finally. We cannot be accused of using this as a road block. We can only be accused of using the weapons of parliamentary law and legislative strategy in order to call to the attention of the people of Pennsylvania the seriousness of the question of reapportionment. We are not interested in blocking any appropriations, but we feel that there is nothing else we can do which will make the people of Pennsylvania realize what is happening on reapportionment. How many persons in this Commonwealth know what is in that bill? Seriously, I did not know what was in it until yesterday afternoon. We could not even look at the bill or see the amendments, and surely after over eleven and one-half months we certainly ought to know something about the most serious bill before this Session of the Legislature, because it strikes at the roots of representative government.

Mr. President, I say to you, as I said before, that any group of Senators, if they were in the position we are in, I would respect them if they used the same implements we are using now. We are not opposed to the appropriation for the George Jr. Republic School, we are not opposed to the appropriations for Pitt and Temple and Penn. We are not opposed to the appropriations for the State-aided hospitals all over the Commonwealth. The records prove that We have voted for them in the House as a party, we intend to vote for them here, but how else can we call the attention of the people of Pennsylvania to this particular action in the Senate?

Mr. President, these are House Bills, nothing can stop them from passage even as of the last month, the dying moments of this Session of the Legislature. If this is an attempt to prove to the people that we are obstructionists, it will fall because, Mr. President, I state clearly for the record, and for public consumption, we are not opposed to any of the appropriations to any of the hospitals in this Commonwealth or State-aided schools. We are opposed, however, at this time to giving our approval to this legislation, because at this moment if, by disapproval, we can stir up the agitation of the people in order that they will ask questions and say, "Why is this happening in Harrisburg," then we can say that the greatest gerrymandering Congressional Reapportionment bill ever introduced into a legislative hall is now upon the Senate books. Certainly I hope that committee comes out with an agreement, I pray that that committee comes out with an agreement. All of us are weary of the strife, all of us know that this is a week that we would like to be home with our families more than anything else in this wide world, and I believe that if it were put to a secret vote there are many Members of this Senate who would be willing to quit just to go home to be with their families. During this great week of the birth of the Christ Child, all of us want to be home with our families, and all of us



who are imbued with a Christian spirit want to be there.

Mr. President, there is one thing we will not do, we will not recede from our position until we know whether the committee is earnestly, seriously and genuinely trying to do a job for the people of the Commonwealth of Pennsylvania. It cannot hurt to hold the bills over. The gentleman from Allegheny has asked that many appropriation bills go over in order, and that other bills go back to committee. We did not question the motive, but we do question the advisability of letting the reapportionment bill be passed in this Senate without the people of Pennsylvania knowing full well what it contains. Therefore, much as I dislike this action, I disapprove entirely of having to do it, at this moment there is nothing else that I can do except to ask again that this bill go over in order with the other House Bills, in order that they be on the Calendar where they can be passed immediately upon the return of the committee with some action or, rather, some report of progress.

Mr. LANE. Mr. President, just to keep the record straight, we are not voting against all appropriation bills. We are just voting against the House appropriation bills. We want to help clean up this Calendar, too, but it seems to me that since they are on Third Reading now, we can carry them over one day. This committee is meeting and this is no time now, in the closing days of the Session, for any one to lose their head because, after all, all of us want to vote for these appropriation bills in particular, and I believe all the Senators on this side want to vote for them.

Mr. President, I realize my responsibility, but like Senator Dent said, this is the only weapon we have at this particular time, and I say to you that since the committee is meeting, we can certainly carry them over until tomorrow, because I notice here that we have three pages of Third Reading Bills on the Postponed Calendar. Why can't we carry these over until tomorrow? It is not going to hurt anything. We can pass them tomorrow.

Mr. YOSKO. Mr. President, I would like to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. YOSKO. Since these are House Bills, Senator Walker, and it only takes one legislative day to pass them, what have we got to lose by holding the bills over for one additional day?

Mr. WALKER. Mr. President, these bills have been held on the Calendar for quite some time, and it is a decision of the Republican Caucus that we are going to move the bills, as many of them as we can, off the Calendar in order to get ready for the sine die adjournment.

We are taking the position, Senator Yosko, that these bills are not germane to the vexing problem that now confronts us on reapportionment, and if the same philosophy which has been expressed by Senator Dent and Senator Lane were carried on ad infinitum, you would be perfectly in order to take the same position that you could not vote for these until we have seriously considered some of the bills or resolutions that are near and dear to your heart. We would never get any bills passed if we hooked them altogether and had a daisy chain or a log-rolling event and, therefore, Senator, we feel that we have got to get rid of them. We would like to do it

today and clear the Calendar for the controversial matters which are still vexing each and every Member of the Senate.

Mr. YOSKO. Mr. President, that does not answer my question, I am sorry. Aside from the fact that the Republican Caucus took action to vote on these bills today. I ask again, what have we got to lose by holding these bills over for one additional day when you consider the fact that we only need one legislative day to pass them?

Mr. WALKER. Mr. President, there is no purpose in holding these bills up. There is no question being raised as to amending these bills or discussing these bills. There is no controversy over the bills which are now before us. The only reason being advanced for not acting on these bills today is that they want to hold them up until we decide what we are going to do with reapportionment, and that is not germane to the bill. If the gentleman were asking to put the bill over because he wanted to investigate the George Jr. Republic School, or find out why they were getting \$50,000 instead of \$40,000 or \$60,000, if his desire to delay legislative action on the bill were predicated upon some problem in his mind that directly affected the bill before us, I could appreciate the request, but this bill has been mentally approved, at least, by every Member of the Senate as well as some of the rest of these appropriation bills which are confronting us.

Mr. President, the only purpose is to hold the bill on the Calendar so that it can be used, theoretically, as a wedge, as a lever or as pressure regarding the reapportionment bill, and I might say, Senator Yosko—this is a horrible thought and I apologize for injecting it at this time—supposing the reapportionment bill came out from this committee and it did not satisfy one of the fifty Members of the Senate, just one, forty-nine were satisfied and one was not, and that one Senator would get up and say, "Just a minute, gentlemen. I do not like this reapportionment bill. Therefore, I ask that all other bills be held on the Calendar until I am satisfied."

Now, Mr. President, each one of us who have had our districts injured is trying to call to the attention of the people of Pennsylvania the rugged problem which is confronting the General Assembly in trying to reapportion Pennsylvania on a Congressional basis, because, Senator Yosko, as you know, we did not get the official reapportionment figures until late in September and, therefore, the task which has been presented to the General Assembly, and especially here in Pennsylvania where we must cut out three Congressmen, something which has never been done before in the history of the Republic, is a very rugged job. It is difficult, and somebody is going to be hurt. For that reason, Senator, we do not feel that the appropriation bills should be held up for the reapportionment bill.

Mr. YOSKO. Mr. President, I have not asked to hold this bill over because of the reapportionment bill.

Mr. President, I now ask that the bill go over because I want to check the appropriation to this institution for the last biennium in order to determine how the appropriation was spent. I assure the gentlemen of the Senate that I will be glad to give them an accounting of how the appropriation was spent for the last biennium to determine whether or not the amount of this appropriation



is justified. Therefore, I ask that the bill go over until tomorrow.

Mr. WALKER. Now, Mr. President, I am sorry to refuse the request of the gentleman. The bill has been in the Senate since June 19. It passed the House 206 to 0, it has been on the Senate Calendar for a solid week, and I am sure the gentleman has had sufficient time to study it. Therefore, I must ask that the bill be acted upon today.

Mr. NEFF. Mr. President, I rise to reaffirm the request of the Minority Leader, the distinguished gentleman from Westmoreland. I would like to say it is strange music coming from the other corner of the Senate, from a man who has kept this General Assembly in Session, 258 of us, for eleven and one-half months. Of course, the reason for our being here at his request, his action was an open one, was because he was running for election. The election is over and he is now the Minority Commissioner-elect in Allegheny County, so we should go home, get out of here. He said these bills have been on the Calendar for a number of weeks. Well, Senate Bill No. 615 has been on the Postponed Calendar for three months. Why isn't he pressing for action on that one?

Seldom, Mr. President, does the Minority find it necessary to resort to their constitutional rights to prevent passage of an un-Democratic, unfair and arbitrary piece of legislation, jammed down their throats by a Majority such as this, but this is one of those few times. This bill is not a reapportionment bill, it could properly be called an abortional bill. It does not set out to do a job on reapportioning the Congressional Districts of this State in any sane, sensible, fair fashion. It sets out to strip Pennsylvania of six liberal Congressmen, six Democratic Congressmen, and not to cut the number of Congressmen in accordance with the Federal statute from thirty-three to thirty. It is unfair in many respects. It is one of the most important pieces of legislation to come before this body at this Session.

Mr. President, the Majority Party which controls the Committee on Reapportionment has had eleven and one-half months to do something about this measure. They decided last week to bring it out into the light of day, put it on the Senate Calendar and now they are going to jam it through the Senate on three successive days. It is a measure which should be given a public hearing, it is a measure which the Minority should, at least, have a chance to study, to counsel with the peoples of this State. It is a measure that the peoples of this State should know something about, but, no, low and behold, the gentleman from Allegheny suddenly decides, after eleven and one-half months, that it is Christmastime and he wants to go home and get ready for the inaugural.

Mr. President, there is not a Member on this side of the aisle who wants to deprive the hospitals, and the schools and the charitable institutions of this State from their appropriations. It is our hope that we will not have to, but before we stand idly by and see an arrogant, arbitrary Majority jam a bill such as this down the throats of the people of Pennsylvania, and deprive the liberal-thinking people of this State of adequate and necessary representation in the Federal Congress, I, for one, and I know my colleagues stand by me by caucus action, and determined that I will not vote for these appropriation

bills. I, for one, in my considered judgment, believe that the onus of this action will not rest with the Minority who are fighting with the only weapon they know, their constitutional right, but with the Majority who are determined unfairly to jam this type of legislation down the throats of the people of the Commonwealth.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred):

Mr. WALKER. Mr. President, I ask for verification of the roll.

Mr. HARE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk called the names of those recorded as having voted in the affirmative as follows:

Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Chapman,	Letzler,	Propert,	Walker,
Crowe,	Mahanay,	Robinson,	Watkins,
Diehm,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.,	Stevenson,	Wolfe,
Hare,	Meade,	Taylor,	Wood,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voting in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Chapman,	Letzler,	Propert,	Walker,
Crowe,	Mahanay,	Robinson,	Watkins,
Diehm,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.,	Stevenson,	Wolfe,
Hare,	Meade,	Taylor,	Wood,

#### NAYS—16

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 511, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

be recommitted to the Committee on Appropriations.



Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 640, on third reading, entitled:

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 735, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the conversion and maintenance of the Oak-bourne Colony Hospital to a psychiatric hospital for children.

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 759, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation protection and development of buildings and grounds at Ephrata Cloisters a famous historical shrine belonging to the Commonwealth.

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

### BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 819, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I am in the process of checking the appropriations for the last biennium on the Franklin Institute. Since the Majority Leader will not agree to have the bill go over until tomorrow, I must vote "no" on House Bill No. 819.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. WALKER. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Propert,	Walker,
Diehm,	Mahanay,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the name of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—29

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Propert,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

### NAYS—19

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than 2/3 of all the Senators having voted "aye" the question was determined in the negative.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 889, as follows:

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employees The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one, (Act No. 164) is hereby further amended to read as follows

Section 3704 Creation of Recreation Board The authority to supervise and maintain recreation places may be vested in any existing body or board or in a recreation board as council shall determine Council may equip operate and maintain the recreation places as authorized by this act Such authorities may for the purpose of carrying

out the provisions of this article employ play leaders recreation directors supervisors superintendents or any other officer or employes as they deem proper [The] Where more than one-half the full costs of the supervision and maintenance of the recreation places including the compensation of all the officers and employes are borne by the city the compensation of such officers and employes shall be fixed by council

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 893, as follows:

An Act requiring one-half of the funds derived by cities of the second class from rentals or charges imposed upon consumers for water services to be used solely for construction reconstruction maintenance improvement and repair of such water works and for payment of obligations incurred for such purposes and prohibiting transfers of such funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 One-half of all moneys derived by cities of the second class from rentals or charges imposed upon consumers for water services after providing therefrom for cost of administration and collection shall be appropriated by the council of such cities and used solely for construction reconstruction maintenance improvement and repair of such water works and for the payment of obligations incurred for such purposes and shall not be diverted by transfer or otherwise to any other purpose

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty-three

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

#### REQUEST THAT BILL GO OVER IN ORDER

Mr. McGINNIS. Mr. President, I ask unanimous consent that Senate Bill No. 893, on third reading, go over in its order, as the gentleman from Allegheny, Mr. Barr, is ab-

sent from the Senate Chamber and he wants to talk on this bill.

The PRESIDENT. Is there objection?

Mr. FLEMING. Mr. President, I object.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. DENT. Mr. President, before the roll is announced I would like to say that I just talked to Senator Barr about a half hour or so ago. He is down in the hotel. He had a sudden attack last night, and has had the doctor three times since midnight. He tells me that he is in hope that he will be up here tomorrow. I am not asking for any sympathy but general courtesy. He has made a fight against this bill since it was introduced. He stood upon this floor and fought it. This is still a bill which can be acted upon tomorrow. I would not ask the Senate to hold it up today if it would jeopardize passage of the bill, if any Senator is interested in seeing it passed. However, I think in all decency this bill should be held over until Senator Barr can make his statement in regard to what it does to the city of Pittsburgh. However, if you insist on calling the roll and having it verified, I am going to insist that Senator Barr be recorded.

The PRESIDENT. The Chair wishes to advise the Senate that there is nothing before the Senate but the announcement of the roll. I believe you were not present at the moment in the Senate Chamber when Senator McGinnis requested that the bill go over in order to which there was objection, and there was nothing else the Chair could do under the rules but proceed with consideration of the bill.

#### POINT OF ORDER

Mr. DENT. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his point of order.

Mr. DENT. Mr. President, first before I put my point or order, I understand perfectly that you had nothing else that you could do, and I appreciate your broad interpretation of the Rules of the Senate by allowing me to talk. However, if the roll has been called and not yet announced, and the status quo is maintained, that bill is still in a position for Senator Barr to register his opposition tomorrow. Is that right or wrong?

The PRESIDENT. I regret to advise the Senator that it is not. The ruling of the Chair is that the only order of business is the announcing of the roll call under the rules.

Mr. DENT. Mr. President, I am not the Majority so I cannot set aside the rule and I cannot set aside the roll call. Let me say to the Senate that I do not think it is the kind of action in which I would indulge, no matter how many votes we had in the majority.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—29

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Propert,	Walker,
Diehm,	Mahanay,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,



## NAYS—16

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. ROSENFELD. Mr. President, I ask unanimous consent that Senate Bill No. 894, on third reading, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first class and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed

go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, without yielding my right to object, may we be at ease?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

## BILL OVER IN ORDER, TEMPORARILY

Mr. ROSENFELD. Mr. President, I ask unanimous consent that Senate Bill No. 894, on third reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 896, as follows:

An Act to confer jurisdiction in habeas corpus upon the several courts of quarter sessions of this Commonwealth and upon the judges thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The several courts of quarter sessions of the peace in this Commonwealth and any of the judges thereof shall have as full power and authority to allow and issue writs of habeas corpus as they now have as judges of the court of common pleas

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,

Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 903, as follows:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morganza

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to defray the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority for the purpose of acquiring holding constructing improving maintaining and operating sewage disposal facilities for the Pennsylvania Training School at Morganza Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
DiSilvestro,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	

Yosko.

## NAYS—1

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 905, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred thousand dollars (\$600,000) or as much thereof as may be necessary is

hereby specifically appropriated to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority for the purpose of acquiring holding constructing improving maintaining and operating a water supply system for supplying water to the Somerset State Hospital

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	

## NAYS—1

Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 908, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred twenty-five thousand dollars (\$425,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of the expenses and charges incurred in acquiring holding constructing and improving sewage disposal facilities for the Norristown State Hospital at Norristown Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.,	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,

Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	

## NAYS—1

Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 909, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars (\$150,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of the expenses and charges to be incurred in establishing contracting with an authority for the purpose of acquiring holding constructing improving maintaining and operating sewage disposal facilities for the Pennsylvania Institution for Defective Delinquents at Huntingdon Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 913, as follows:

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as added by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (Act No. 405) is hereby amended to read as follows

Section 1072.1 Associate Superintendents in Districts Third Class In lieu of electing a district superintendent the board of school directors in any district of the third class may by a majority vote of all the members thereof elect a properly qualified person as associate superintendent who shall perform the duties of a district superintendent under the general supervision of the county superintendent. The public schools of any district having an associate superintendent shall be subject to the superintendence of the county superintendent and shall participate in all services provided by the county superintendent

The directors of any district electing an associate superintendent shall participate in the election of a county superintendent

The approval of the county board of school directors shall [not] be required [for] before the election of an associate superintendent in a district having a supervising principal. If the county board of school directors shall refuse such approval or shall neglect to act upon the application of the board of school directors for a period of thirty (30) days from the date of the submission of such application to it the board of school directors may appeal to the Superintendent of Public Instruction who may sustain or reverse the action of the county board and in the event of reversal shall grant approval to the creation of the office of associate superintendent in such district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 914, as follows:

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts

for employing substitute teachers where vacancies exist in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 962) is hereby further amended to read as follows

Section 2518 Forfeitures for Employing Certain Teacher In the event that after the first day of July one thousand nine hundred fifty-one any school district for a period of two successive years employs the same teacher who holds only an emergency certificate for any grade or subject which he teaches or for a period of two successive years employs in the same position teachers who hold only an emergency certificate for any grades or subjects which they teach such school district shall forfeit the sum of three hundred dollars (\$300) for each teacher so employed or for each position so filled. No such penalty shall be imposed for any violation of the foregoing provision during the biennium one thousand nine hundred forty-seven one thousand nine hundred forty-nine. Any school district that now or hereafter employs any teacher who does not hold any form of teacher certification to teach in the public schools of this Commonwealth valid for the subjects or grades in which the teacher is giving instruction shall forfeit one reimbursement unit for each such teacher employed. Any school district that employs a substitute after July first one thousand nine hundred fifty-two in a position where a vacancy exists for a full year or more without the specific written approval of the Superintendent of Public Instruction shall forfeit one reimbursement unit for each substitute so employed. The Superintendent of Public Instruction shall [in either event] deduct such sum or sums from the amount of the Commonwealth appropriation otherwise due such district under the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Silvert,	Wolfe,
Fleming,	McGinnis,	Snowden,	Wood,
Freed,			Yosko,

#### NAYS—2

Kephart, Meade,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 928, as follows:



An Act to further amend Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by fixing the compensation of members of the State Police Force

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 776) and by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1438) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of fifteen thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of eight thousand five hundred dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand eight hundred (1800) persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be ap-

pointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board except the compensation of the members of the State Police Force in which case the compensation of each such member shall be increased in the amount of fifteen per cent (15%) per annum over the compensation received on the effective date of this amendment

Section 2 Section 6 of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" and its amendments is hereby repealed in so far as it is inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.,	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Probert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 937, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for refusal to issue and revocation of licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 212 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end of section 212 thereof a new subsection to read as follows

Section 212 Application for and Grant of License

\* \* \* \* \*

(e) If after investigation the department is not satisfied



that the applicant should receive a license under this section it shall notify the applicant of its decision refusing to issue the license. Such decision shall be final.

Section 2 Section 214 of said act is hereby amended to read as follows:

Section 214 [Review of Action by Department] Any person aggrieved by any action of the department relating to his license or by rule or regulation adopted and promulgated by the department shall have the right to file a complaint with the department and to have a hearing thereon before the department. Such hearings shall be conducted and the decision of the department on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) and its amendments relating to adjudication procedure. Any person aggrieved by any adjudication of the department shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudication of agencies of the Commonwealth. Revocation of License. The department shall have the power after hearing to revoke any license issued under this act whenever it shall appear that the licensed institution is being operated in violation of the laws of this Commonwealth or rules or regulations thereunder pertaining to the operation of mental hospitals or whenever the department shall determine that the holder of the license would not be qualified to receive a license if application for such license were made under Section 212 of this act.

Any person aggrieved by the action of the department in revoking his license may appeal to the Court of Common Pleas of Dauphin County the jurisdiction of which shall be limited to a consideration of whether or not the department abused its discretion in revoking such license.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.,	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelot,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL ON THIRD READING, DEFEATED IN FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

#### REQUEST THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1065, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

And the question recurring,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I am in the process of checking the appropriations on these appropriation bills, and if it is not agreeable that they go over I must vote "no."

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred):

Mr. WALKER. Mr. President, I ask for a verification of the roll.

Mr. HARE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelot,	Wagner,
Crowe,	Letzler,	Propert,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—29

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelot,	Wagner,
Crowe,	Letzler,	Propert,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

#### NAYS—16

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

**BILL ON THIRD READING, DEFEATED ON  
FINAL PASSAGE**

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1066, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

**REQUEST THAT BILL GO OVER IN ORDER**

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1066, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. WALKER. Mr. President, I ask for a verification of the roll.

Mr. HARE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Proper,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The PRESIDENT: Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—29**

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Proper,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

**NAYS—16**

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

**BILL ON THIRD READING, DEFEATED ON  
FINAL PASSAGE**

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1121, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

**REQUEST THAT BILL GO OVER IN ORDER**

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1121, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. WALKER. Mr. President, I ask for a verification of the roll.

Mr. HARE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Proper,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The PRESIDENT: Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—29

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Probert,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.,	Stevenson,	Wolfe,
			Wood,

## NAYS—16

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

**BILL ON THIRD READING, DEFEATED ON  
FINAL PASSAGE**

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1122, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

**REQUEST THAT BILL GO OVER IN ORDER**

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1122, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. WALKER. Mr. President, I ask for a verification of the roll.

Mr. HARE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Probert,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.,	Stevenson,	Wolfe,
			Wood,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The PRESIDENT: Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—29

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Probert,	Walker,
Diehm,	Mahanay,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.,	Stevenson,	Wolfe,
			Wood,

## NAYS—16

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

**BILL ON THIRD READING, DEFEATED ON  
FINAL PASSAGE**

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1126, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

**REQUEST THAT BILL GO OVER IN ORDER**

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1126, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. WALKER. Mr. President, I ask for a verification of the roll.

Mr. HARE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Probert,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.,	Stevenson,	Wolfe,
			Wood,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The PRESIDENT: Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—29

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Probert,	Walker,
Diehm,	Mahanay,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood.

## NAYS—16

Byrne,	Haluska,	McCreesh,	Ruth,
Bane,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

## BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1127, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

## REQUEST THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1127, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. WALKER. Mr. President, I ask for a verification of the roll.

Mr. HARE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Probert,	Walker,
Diehm,	Mahanay,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood.

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The PRESIDENT: Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—29

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Probert,	Walker,
Diehm,	Mahanay,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

## NAYS—16

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

## BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1130, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

## REQUEST THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1130, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. NEFF. Mr. President, how is the gentleman from Allegheny, Mr. Fleming, recorded as voting?

The PRESIDENT. The gentleman from Allegheny, Mr. Fleming, is recorded as having voted "aye."

Mr. WALKER. Mr. President, I ask for a verification of the roll.

Mr. HARE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:



Berger,	Hare,	Meade,
Blass,	Kephart,	Pechan,
Chapman,	Kessler,	Peelor,
Crowe,	Letzler,	Propert,
Diehm,	Mahany,	Robinson,
Fleming,	Mallery,	Snowden,
Freed,	McPherson, Jr.,	Stevenson,

Taylor,
Wade,
Wagner,
Walker,
Watkins,
Watson,
Wolfe,
Wood,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

The PRESIDENT: Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—29

Berger,	Hare,	Meade,	Taylor,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Propert,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Snowden,	Watson,
Freed,	McPherson, Jr.	Stevenson,	Wolfe,
			Wood,

#### NAYS—16

Bane,	Haluska,	McCreesh,	Ruth,
Byrne,	Holland,	McGinnis,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
DiSilvestro,	Leader,	Rosenfeld,	Yosko,

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 9 o'clock, p. m., Eastern Standard Time.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### CALENDAR

##### HOUSE BILL No. 1681 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1681 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1681, as follows:

An Act to amend Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries

of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by increasing the salary of mine inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" is hereby amended to read as follows

Section 1 The salary of mine inspectors under the jurisdiction of the Department of Mines of this Commonwealth shall be [six thousand six hundred dollars (\$6600)] seven thousand five hundred dollars (\$7500) per annum together with the necessary expenses incidental to the performance of their duties under the law which money shall be paid in the manner now provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1682 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1682 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1682, as follows:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and mak-

ing an appropriation therefor" by further increasing the salary of the first aid and mine rescue instructors. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 918) is hereby further amended to read as follows:

Section 4 The first aid and mine rescue instructors shall receive a salary of [four thousand three hundred ninety-two dollars (\$4392)] four thousand nine hundred eighty-nine dollars (\$4989) per annum together with the necessary expenses incidental to the performance of his duties under the law. Except however one member of the crew manning each truck shall be termed chief of crew and shall receive a salary of [four thousand eight hundred eighty dollars (\$4880)] five thousand five hundred forty-three dollars (\$5543) per annum together with the necessary expenses incidental to the performance of his duties under the law and shall be responsible for the orderly conduct of the work to be performed.

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Probert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko.

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1639 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1639 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1639, as follows:

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The following words and phrases as used in this act shall have the meanings ascribed to them in this section unless the context clearly requires otherwise:

(1) "Private driver education or training school" or "school" shall mean a school maintained, classes conducted or instruction offered by any individual association, partnership or corporation for a consideration, profit or tuition the purpose of which is to educate or train an individual or individuals either practically or theoretically or both to operate or drive a motor vehicle.

(2) "Agent" shall mean any person whether employed by a private driver education or training school or operating in his own behalf or whether acting in behalf of any school located within or outside of this Commonwealth who shall personally solicit any individual within the Commonwealth of Pennsylvania to enroll in a school.

(3) "Department" shall mean the Department of Public Instruction.

(4) "Motor vehicle" shall mean every motor vehicle as defined in the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) as amended known as "The Vehicle Code".

Section 2 The provisions of this act shall not apply to colleges or universities, schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged, schools or classes owned and operated by or under the authority of bona fide religious institutions or by the Commonwealth or any political subdivision thereof or schools accredited by accrediting associations approved by the Department of Public Instruction or schools licensed by the State Board of Private Academic Schools.

Section 3 The provisions of this act shall be administered by the Department of Public Instruction.

Section 4 The qualifications for licensure and the standards of licensure:

(1) School Plant

(a) General

(i) The situs of a school branch school and practice driver training area shall be a distance of at least fifteen hundred (1500) feet from any official examination point used by the Pennsylvania State Police for examining motor vehicle operators which distance shall be measured along the public streets by the nearest route from the school branch school or practice driver training area to the said point.

(ii) The outdoor area used during the first three (3) hours of practical instruction by persons who hold a learner's permit shall be one which is reasonably free of pedestrian and vehicular traffic and shall not include primary traffic arteries, main highway routes or other thoroughfares that carry large amounts of the said traffic.

(b) In the case of a school where five (5) or more students are assembled as a group for theoretical instruction in Driver Education:

(i) The premises, equipment and facilities of the school shall conform to all safety and sanitary requirements of the Commonwealth of Pennsylvania or any of its political subdivisions applicable thereto.

(ii) The provisions for the health, physical welfare and safety of student personnel shall be those prescribed by the governmental authorities having jurisdiction over such matters.

(iii) The artificial lighting facilities shall provide a minimum of twenty-five (25) foot-candles of illumination on the horizontal surfaces of all indoor activity areas used for school purposes.

(iv) The heating facilities shall be sufficient to provide for the maintenance of normal room temperatures in all rooms occupied by students when the outside temperature is less than normal room temperature. When the school



does not use mechanical ventilation windows shall be used and equipped for ventilating purposes

(v) The premises facilities and any alterations of or additions to the premises or facilities must be approved by the Department of Public Instruction before the premises or facilities may be used for school purposes and before any of the said alterations or additions may be made

(2) Teacher and Director Qualifications

(a) Every teacher in a school shall be a citizen of the United States at least twenty-one (21) years of age and a person of good moral character

(b) Every teacher shall have a valid motor vehicle operator's license issued by the Commonwealth of Pennsylvania and shall submit documentary evidence of having driven a minimum of fifteen thousand (\$15,000) miles under all kinds of weather conditions in both urban and rural areas

(c) Every teacher must maintain during any consecutive three-year period a driving record which does not include more than one (1) reportable accident as defined in the Vehicle Code resulting in a suspension or revocation of his motor vehicle operator's license

(d) Every teacher must pass (1) a written theoretical examination prepared and administered by the Superintendent of Public Instruction or such agency as he may designate and embracing subject matter pertinent to the care operation and use of a motor vehicle on the highways and to general highway safety principles and practices and (2) a practical examination prepared and administered by the Secretary of Revenue or such agency as he may designate for the purpose of testing a teacher's competency and fitness in the operation of a motor vehicle

(e) Every teacher shall present a certificate from a physician legally qualified to practice medicine in the Commonwealth of Pennsylvania setting forth that said person is neither mentally nor physically disqualified by reason of tuberculosis nor any other chronic or acute physical defect from performing the duties of a driver education teacher

(f) A director or supervisor of a school or branch thereof shall meet the qualifications of a teacher as set forth hereinbefore in this section and shall have had a minimum of two (2) years' successful teaching experience in a private or public driver training school or class

(g) Every school that employs five (5) or more full-time teachers or an equivalent number of part-time teachers shall designate a director who shall meet the qualifications prescribed in Section 4 (2) (f) and who shall devote at least one-half of his time to the performance of administrative and supervisory duties

(3) Instructional Equipment and Materials

(a) The amount and type of school furniture instructional equipment and instructional materials shall be governed by the character and scope of the educational program of the school the number of pupils enrolled and the objectives of the educational program of the school and shall conform to generally accepted educational standards

(b) The amount and type of school furniture and of instructional equipment and materials shall not be required to exceed or to vary from that which is generally used in connection with the programs of driver education in public schools of like character and scope

(c) Every school shall provide text and reference materials including pamphlets and visual aids for the instruction in the theoretical and practical phases of driver training

(d) Every car used for practical driver training shall be a recent model not more than five (5) years old with special equipment as follows operable extra brake and extra clutch pedals defroster and heater in working order rear-view mirror placed on the inside of the car in the vicinity of the cowl two (2) outside rear-view mirrors one on each side of the vehicle and cushions for the proper seating of the students

(e) Every school shall provide insurance coverage on all cars used for practical driver training This coverage shall include at least (a) 50-100 thousand dollars public

liability (b) five thousand dollars property damage (c) two thousand dollars medical

(4) Program of Instruction

(a) Driver training schools licensed under this act shall make available both the theoretical and practical instruction

(b) Theoretical instruction in driver education shall include subject matter relating to rules and regulations of the road safe driving practices pedestrian safety care and mechanics of motor vehicles driver responsibility theory of driving types of automobile insurance and the use of automobile safety devices

(c) Practical instruction in driver education shall include the demonstration of and actual instruction in starting stopping shifting turning backing parking and steering in a training vehicle which shall meet the requirements of the Department of Public Instruction

(d) Driver training schools licensed under this act shall publish a schedule of prospectus of fees or charges for behind-the-wheel lessons classroom lessons refresher lessons and all other fees or charges made by the school a copy of a prospectus setting forth the aforesaid information shall be filed with the Department of Public Instruction

(5) Fees

(a) Every school shall inform each student prior to the time instruction commences of the character and amount of any and all fees or charges made for enrollment or registration tuition use of equipment texts and reference materials supplies and any other service equipment or materials provided by the school

(6) Records

(a) Every school shall establish and maintain complete accurate and detailed financial records that shall include data pertaining to assets liabilities sources and amount of income and the character and amount of expenditures The said records shall be kept current and available for inspection during regular school hours by one or more representatives of the department

(b) Every school shall maintain adequate records of individuals and each school shall maintain a permanent cumulative record card for each pupil Such record card shall indicate the number of clock hours of instruction received by each pupil and shall contain information on attendance achievement test scores personal characteristics health and other pertinent topics Such records shall be kept current and available for inspection at all times during regular school hours by one or more representatives of the department

(7) Agents

(a) Each agent shall be a person of good moral character a citizen of the United States and at least twenty-one (21) years of age

(b) An agent representing a school which is located outside this Commonwealth shall submit to the department such information and data pertaining to the said school as the department may deem necessary and require in order to validate any representation made in behalf of the said school by the said agent The department may require the said information and data to be certified by such educational authorities of the other state as the department may designate

(c) An agent's license shall not be granted to an agent of a school which is located outside this Commonwealth unless the said school maintains educational standards and policies that are substantially equivalent to those prescribed herein for driver training schools in the Commonwealth of Pennsylvania

(d) Each agent shall display or produce his agent's license certificate when requested to do so by prospective students or a representative of the department

(8) Ownership

(a) Each individual proprietor of a school each member of a partnership association or company that owns a school and each officer and director of a corporation that owns a school who is directly connected with the conduct and operation of the educational program shall be a person of good moral character a citizen of the United States and



at least twenty-one (21) years of age The said persons and any school employe thereof shall not be addicted to the use of alcoholic liquors morphine cocaine or other drugs having a similar effect and shall not be mentally incompetent

(b) A license shall be granted to the owner of a particular school for the specific ownership constituency and the specific school situs designated in the application for a license Any change in ownership or in school situs must be approved by the board prior to the date of the said change

(c) A change in ownership requires an application for an original license which application shall be submitted to the department at least thirty (30) days in advance of the effective date of the said change and the school shall not be conducted or operated under the new or different individual proprietorship partnership association company or corporation until and unless an original license has been granted and issued to the new or different ownership constituency

Section 5 (a) No private driver education or training school shall continue operation or be established within the Commonwealth unless such school shall within six (6) months after the effective date of this act apply for and obtain from the department a license in the manner and form prescribed by the department

(b) Within this Commonwealth no person or persons shall advertise in behalf of or solicit prospective students to enroll in a school to be established within the Commonwealth prior to the establishment of such school unless such person or persons shall apply to the department for a license in the manner and form prescribed by the department and shall receive from the department authorization to conduct such activities

(c) Within this Commonwealth no person or persons shall solicit prospective students to enroll in a school to be established outside the Commonwealth prior to the establishment of such school unless such person or persons shall apply for and obtain from the department an agent's license in the manner and form prescribed by the department

(d) No person or persons shall solicit any prospective student within this Commonwealth to enroll in a school located within or outside this Commonwealth unless such school has been approved by the department and unless such person or persons shall apply for and obtain from the department an agent's license in the manner and form prescribed by the department

Section 6 Before any license is issued a verified application shall be made in writing to the department on a form prepared and furnished by the department An application from a school shall require a statement showing (1) the title or name of the school or classes together with ownership and controlling officers thereof (2) the specific course of instruction which will be offered (3) the place or places where such instruction will be given (4) a specific listing of the equipment available for instruction in each field (5) the maximum enrollment to be accommodated on equipment available in each specific field (6) the qualifications of instructors and supervisors in each specific field (7) financial resources available to equip and to maintain the school or classes (8) such additional information as the department may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto (9) an expression of willingness at the discretion of the department at any time it may designate to provide a surety company bond in favor of the Commonwealth of Pennsylvania conditioned for the protection of the contractual rights of students

Section 7 If the department finds that the application and the school or classes or agent for which a license is sought complies with the provisions of this act and the rules and regulations of the department promulgated under the provisions of this act the department shall issue an original license to the applicant

Section 8 Any license issued to a school shall be restricted to the fields or courses specifically indicated in the application for a license Any license issued to an agent

shall be restricted to the school or schools specifically listed in the application for a license A licensed school shall present a supplementary application as may be directed by the department for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the license A licensed agent desiring to solicit prospective students to enroll in schools other than those specifically listed in any application for license shall present a supplementary application as may be directed by the department for approval to solicit for such schools or additional schools

Section 9 Each original license issued shall be effective from the date of issue until the first day of July following the issuance of the original license and shall be renewed annually thereafter on a form prepared and furnished by the department Each licensing year is to continue from the first day of July to the following thirtieth day of June inclusive Each school shall have a separate license which shall not be transferrable

Section 10 Each original application for a license to conduct a school shall be accompanied by a license fee equal to ten dollars (\$10) for each teacher used or employed at any one time The first application shall be accompanied by the fee based on the highest number of teachers used or employed at any one time during the twelve months immediately preceding the effective date of this act or if the applicant is first commencing to operate after said date The fee shall be based on the highest number of teachers estimated to be employed at any one time during the first six months of the year for which the license is to be effective If during the first six months such applicant shall use or employ at any one time more teachers than the number he estimated he shall pay the additional fee due therefor at the time he applies for his next renewal Each renewal application shall be accompanied by the fee based on the highest number of teachers used or employed at any one time during the license year Immediately preceding the year for which the renewal is to be effective No fee shall be charged for a supplementary application for the approval of additional fields or courses of instruction Fees for agents shall be five dollars (\$5) per year All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is suspended or revoked

Section 11 The department shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 12 No private driver education or training school shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the department and its representatives to inspect the school or classes and shall make available to the department at any time when requested to do so full information pertaining to any or all items of information contained in the application form which is currently provided by the department to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and designated officials of the department

(3) The advertising and representations made by anyone representing the school or classes as an agent or contractual agent to prospective students shall be free from misrepresentation or fraud

(a) A school shall not use any name other than its licensed name for advertising or publicity purposes nor shall a school advertise or imply that it is "supervised" "recommended" "endorsed" "accredited" or "approved" by the Department of Public Instruction or the Commonwealth of Pennsylvania

(b) A school shall not claim or imply that it is endorsed by colleges universities or other institutions of higher learning bus companies trucking associations automobile clubs or taxi companies unless written evidence of that fact is presented to the department by the endorsing col-



lege university bus company trucking association automobile club or taxi company

(c) A school shall not claim or imply that it will guarantee employment upon completion of the course or guarantee the securing of a license to drive an automobile

(d) A school shall not by means of "blind" advertisements or advertisements in the "help wanted" or other employment columns of newspapers and other publications solicit prospective students to enroll in the school

Section 13 The department shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the department shall find

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the department

(2) That the applicant or licensee has knowingly presented to the department false incomplete or misleading information relating to licensure

(3) That the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any State or Federal court

(4) That the applicant licensee or any employee in a school is addicted to the use of alcoholic liquors morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent

(5) That the applicant or licensee has failed or refused to permit the department or its representatives to inspect the school or classes or has failed or refused to make available to the department at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto

(6) That the applicant has failed or refused to submit to the department an application for license in the manner and form prescribed by the department

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officials of the department

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the department

(9) That the applicant or licensee has failed to provide or maintain premises equipment or conditions which are adequate safe and sanitary in accordance with such standards of the Commonwealth or any of its political subdivisions as are applicable to such premises and equipment

(10) That the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes or to employment opportunities

(11) That the licensee is employing teachers supervisors or administrators who have not been approved by the department or agents who have not been licensed by the department

(12) That the licensee has failed to provide and maintain adequate premises equipment materials or supplies or has exceeded the maximum enrollment for which the school or class was licensed

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory or teaching staff

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain adequately and effectively the school or classes

(15) That the licensee has moved the school into new premises or facilities or has altered or made additions to premises or facilities before notifying the department of such change and before receiving from the department approval for the new premises or facilities alterations or additions

(16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the department

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the department and which is not listed on the license issued by the department

(18) That there was a change in the ownership of the school without the approval of the department

(19) That the school was operated or conducted under an ownership constituency not approved by the department

The procedure to be followed in the refusal suspension and revocation of licenses and in appeals taken from action of the department shall be that prescribed by the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) known as the "Administrative Agency Law" and its amendments

Section 14 The Department of Public Instruction shall have power to make adopt and enforce rules and regulations for the enforcement of this act The Superintendent of Public Instruction may appoint an advisory committee of seven members two members of which shall be selected from persons active in the private driver education field two members shall be public school administrators one member shall be from the membership of the Pennsylvania Association of Highway Safety Educators one member shall be from the personnel of the Department of Revenue and one member shall be from the personnel of the Pennsylvania State Police It shall be the duty of the committee to advise and to make recommendations to the department regarding rules and regulations for the licensing of schools and agents

Section 15 Any person who shall violate or fail to comply with any of the provisions of this act or any of the rules or regulations promulgated thereunder shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or to undergo imprisonment for not more than one (1) year or both If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employees with guilty knowledge of the fact shall also be guilty of misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 16 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barratt,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wagner,
Chapman,	Lane,	Peelor,	Wade,
Crowe,	Leader,	Probert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed	McGinnis,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered. That the clerk return said bill to the House



of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### HOUSE BILL No. 1638 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1638.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1638, on third reading, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivision and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 1497 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1497.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1497, on third reading, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No. 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes and adding and changing penalties and providing for commitment of mentally ill persons to Veterans Administration or other agency of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 1215 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1215 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1215, as follows:

An Act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title Scope (a) This act shall be known and may be cited as the "Minor Judiciary Fee Bill"

(b) After the effective date of this act the fees to be charged by aldermen justices of the peace and magistrates hereinafter referred to as "the minor judiciary" shall be as fixed by this act

Section 2 Criminal Cases (a) The fees to be charged by the minor judiciary in every criminal case except as hereinafter provided shall be as follows

- |   |            |
|---|------------|
| (1) Summary conviction except motor vehicle cases | \$ 9       |
| (2) Summary conviction motor vehicle cases        | ..... \$ 5 |
| (3) Misdemeanor                                   | ..... \$11 |
| (4) Felony  | ..... \$15 |

(b) Such fees shall include all charges including when called for the costs of postage and registered mail and the costs of giving a transcript to the prosecutor or defendant or both if requested

Section 3 Payment of Summary Conviction Costs by County

(a) In every case of summary conviction in which the evidence is not sufficient to convict and the defendant is dismissed the costs or fees thereof shall be paid by the county

(b) In every case of summary conviction in which the defendant is convicted and sentenced to jail in default of the payment of the fine and costs or fees imposed the costs or fees of prosecution shall be paid by the county

Section 4 Civil Cases (a) The fees to be charged by the minor judiciary in every civil case except as hereinafter provided shall be as follows

- |   |               |
|---|---------------|
| (1) Assumpsit or trespass involving \$100 or less     | \$ 7.50       |
| (2) Assumpsit or trespass involving more than \$100   | ..... \$10.00 |
| (3) Landlord and tenant proceeding                    | ..... \$15.00 |
| (4) Attachment in execution proceeding after judgment | ..... \$ 5.00 |

(b) such fees shall include all charges including when called for the costs relating to depositions and interrogatories and the costs of postage and registered mail except the costs of a transcript of every proceeding on appeal or certiorari (including affidavit bail and certificate) which shall be \$2.50 per transcript

Section 5 Unclassified Fees or Charges The fees to be charged by the minor judiciary in the following instances not readily classifiable shall be as follows

- |  |              |
|--|--------------|
| (1) Order for relief or removal of pauper                                      | ..... \$1.25 |
| (2) Order to seize goods for maintenance of wife or children                   | ..... \$1.25 |
| (3) Order for premium for wolf fox or other scalps to be paid by the county    | ..... \$1.25 |
| (4) Entering transcript of judgment from another member of the minor judiciary | ..... \$1.25 |
| (5) Every acknowledgment of deed or other instrument of writing first name     | ..... \$ .75 |
| each additional name   | ..... \$ .25 |



- (6) Certificate to obtain land warrant ..... \$1.25
- (7) Marrying each couple making record thereof and certificate to the parties ..... \$5.00
- (8) Swearing and affirming county township or other public officer each officer ..... \$1.00
- (9) Probating accounts ..... \$1.25
- (10) Writing affidavits or affirmations ..... \$1.25

Section 6 Federal Cases The fees to be charged by the minor judiciary for services under the laws of the United States shall be as follows

- (1) For certificate of protection ..... \$1.00
- (2) For certificate of lost protection ..... \$.75
- (3) Warrant ..... \$.75
- (4) Commitment ..... \$.75
- (5) Summons for seamen in admiralty case ..... \$.75
- hearing thereon ..... \$1.00
- (6) For certificate to clerk of the district court to issue admiralty process ..... \$.75
- (7) For affidavit of claims and copies thereof ... \$1.25
- (8) Affidavit of defense ..... \$1.25

Section 7 Repeals (a) The following acts and parts of acts and their amendments are hereby repealed absolutely

(1) Section one of the act approved the twenty-third day of May one thousand eight hundred ninety-three (P. L. 117) entitled "An act to regulate and establish the fees to be charged by justices of the peace aldermen magistrates and constables in this Commonwealth"

(2) The act approved the twenty-third day of April one thousand nine hundred nine (P. L. 160) entitled "An act to regulate and establish the fees to be charged by justices of the peace aldermen and magistrates in this Commonwealth"

(3) The act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170 Act No. 171) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases"

(4) The act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 527 Act No. 208) entitled "An act increasing the fees of justices of the peace and aldermen in cases of summary conviction relating to motor vehicles"

(b) All other acts or parts of acts general local or special are hereby repealed in so far as inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson.
Barrett,	Hare,	McPherson. Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolf*,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

#### HOUSE BILL No. 1206 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1206 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1206, as follows:

An Act to further amend the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" by further defining "final salary" authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 524) and the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 688) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employee" any person whether elected or appointed who is employed by the county by the county institution district or its predecessor the county poor board or any independent poor district thereof and employed by the county by the county prison authorities by the county house of detention authorities or by the county retirement system whose salary or compensation is paid in regular periodic installments but shall not except as hereinafter provided include any person who is employed on a per diem basis

"Fund" the county employees' retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members' annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employee served not later than December thirty-first preceding the year the retirement system shall be established in any county

"Original Member" a member who was a county employee on the date of establishment of the retirement system in said county

"New Member" a member who shall have become a member of the retirement system after the establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the highest average annual salary received by contributor for [the] any five consecutive years of service [immediately] preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor

"Retirement Allowance" the county annuity plus the member's annuity

Section 2 Section 5 of said act as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 840) is hereby further amended by adding at the end thereof a new paragraph to read as follows

#### Section 5 County Employees' Retirement Fund \* \* \* \*

The board may at any time by rule authorize members of the retirement system whether original or new members to transfer from the one one-hundred-twentieth (1-120) class to the one one-hundredth (1-100) class and whenever such transfer shall be authorized salary deductions applicable to such transferred members shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1-120) class

Section 3 Section 11 of said act is hereby amended to read as follows

Section 11 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the members' annuity reserve account and (b) a county annuity equal to one one-hundred-twentieth (1-120) of his final salary multiplied by each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his final salary multiplied by each year of prior service At any time the board by rule may by increasing the county annuity authorize the payment of a minimum retirement allowance of one hundred dollars (\$100) per month to every beneficiary who has retired for superannuation after twenty (20) years service but the total county annuity shall never exceed fifty per centum of the final salary

Whenever the board shall by rule authorize members of the retirement system to transfer from the one one-hundred-twentieth (1-120) class to the one one-hundredth (1-100) class the county annuity shall be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-twentieth (1-120) rate

(b) For service subsequent to the time of transfer to the time of retirement at the one one-hundredth (1-100) rate

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-twentieth (1-120) rate bears to the total time of contribution and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Probert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1139 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1139 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1139, as follows:

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the time and increasing the fee for annual registration of osteopaths The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as last amended by the act approved the sixth day of April one thousand nine hundred twenty-seven (P. L. 124) is hereby further amended to read as follows

Section 13 From and after the approval of this act no person shall enter upon or continue the practice of osteopathy in the State of Pennsylvania unless he or she has complied with the provisions of this act It shall be the duty of all persons now qualified and engaged in the practice of osteopathy or who shall hereafter be licensed by the State Board of Osteopathic Examiners to engage in such practice in this Commonwealth to register with the said State Board of Osteopathic Examiners as practitioners on or before the first day of January one thousand nine hundred and twenty-six and thereafter to register with said board in like manner annually on or before the [first day of January] thirty-first day of October of each succeeding year The form and method of such registration shall be provided for by such board in such manner as will enable it to carry into effect the purposes of this act The



said State Board of Osteopathic Examiners shall be entitled to demand for such annual registration a fee of [three] five dollars or such other sum as shall be fixed by the Department of Public Instruction under authority of law The fee shall in all cases accompany the application for such registration All fees received hereunder shall unless otherwise provided by law be used by the said board in carrying out the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson.
Barrett,	Hare,	McPherson, Jr.,	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## HOUSE BILL No. 1138 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1138 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1138, as follows:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million five hundred thousand dollars (\$1,500,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of expenses incurred in continuing the work of demolishing buildings and other expenses incident to the development of Point Park in Pittsburgh

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.,	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## HOUSE BILL No. 1483 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1483.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1483, on second reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Industrial School to acquire additional tracts of land for the use of the Pennsylvania Industrial School and making an appropriation therefor

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1404

Mr. WAGNER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school district, in certain cases.

The PRESIDENT. The report will lie over for printing under the rules.

## REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 655

Mr. MALLERY. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regu-

lating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and changing procedure on appeals to court.

The PRESIDENT. The report will lie over for printing under the rules.

### HOUSE MESSAGES

#### SENATE BILL NO. 188 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 188, entitled:

An Act to amend Section 1 of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by increasing the number of judges of the Municipal Court of Philadelphia.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL NO. 502 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 502, entitled:

An Act to amend the title and section 1 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class.

with the information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 503 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 503, entitled:

An Act to amend the title and Section 1 of the act, approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by extending to any municipal authority organized by any city of the third class the powers granted therein.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 241, entitled:

An Act to amend section six hundred forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by increasing the age range of children prohibited admittance to moving picture theatres during school hours.

Which was committed to the Committee on Law and Order.

House Bill No. 609, entitled:

An Act to further amend Sections 10 and 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

Which was committed to the Committee on Local Government.

House Bill No. 1125, entitled:

An Act to amend Section 189 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by increasing the maximum penalty on teachers failing to attend meetings called by the county superintendent.

Which was committed to the Committee on Education.



House Bill No. 1230, entitled:

An Act to further amend subsections (a) and (b) of Section 16 of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "The Permanent Registration Act for Boroughs, Town and Townships," by further providing for the appointment of certain registrars; removing certain obsolete provisions; and fixing days and hours for registration.

Which was committed to the Committee on Elections.

House Bill No. 1231, entitled:

An Act to further amend subsections (a) and (b) of section 17 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "The Permanent Registration Act in Cities of the Third Class," by further providing for the appointment of certain registrars; and fixing days and hours for registration.

Which was committed to the Committee on Elections.

House Bill No. 1398, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "Administrative Code of 1929," by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization, powers and duties.

Which was committed to the Committee on State Government.

House Bill No. 1704, entitled:

An Act to further amend section 4 and 8 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN SENATE BILL No. 500

He also returned to the Senate, Senate Bill No. 500, entitled:

An Act to further amend the title of and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled, as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates, or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class, for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made." by extending to

authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 504

He also returned to the Senate, Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and the interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class; for sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges, heretofore made," by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer, sewerage and sewage treatment services.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 586

He also returned to the Senate, Senate Bill No. 586, entitled:

An Act relating to the administration without the appointment of a guardian of estates valued at one thousand dollars or less of weak minded persons drug addicts and inebriates and providing a procedure therefor

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 765

He also returned to the Senate, Senate Bill No. 765, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep record and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by changing the definition of wages as to the rights and obligations of employers and employees where a successor-in-interest has acquired assets of a predecessor.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 823

He also returned to the Senate, Senate Bill No. 823, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class, and amending, revising and consolidating the law relating thereto," by prescribing a minimum period of continuous service for retirement of members of the police force, and providing for the payment of service increments to such employees in addition to their retirement allowances.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 831

He also returned to the Senate, Senate Bill No. 831, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties," by further extending the time for present employees to elect to be covered by the retirement system and grant retirement rights to certain additional persons who have withdrawn from and returned to school service.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 869

He also returned to the Senate, Senate Bill No. 869, entitled:

An Act to further amend section 322 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revise, amending, and consolidating the laws relating thereto," by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 883

He also returned to the Senate, Senate Bill No. 883, entitled:

An Act to amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (Act No. 264), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension

and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties," by clarifying certain provisions thereof; and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 898

He also returned to the Senate, Senate Bill No. 898, entitled:

An Act to amend Section 322 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the law relating thereto," by further defining eligibility for the office of school director.

with the information that the House has passed the same without amendments.

#### HONORABLE FRANCIS X. O'BRIEN AND HONORABLE SAMUEL A. WEISS PRESENTED TO SENATE

The PRESIDENT. The Chair would like to advise the Senate of the presence of two very distinguished jurists from Allegheny County, Judge Francis X. O'Brien and Judge Samuel A. Weiss. Will they please take a bow?

#### CALENDAR

##### HOUSE BILL No. 1646 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1646.

The PRESIDENT. Is there objection? The Chair hears none.

##### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1646, entitled:

An Act to add subsection (4) to section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendment:

Amend Sec. 1 (Sec. 2), page 4, line 3, by inserting after the word "persons" the following "or in instances where manure is bought or sold by the cubic yard."

On the question,

Will the Senate agree to the amendment?

Mr. DENT. Mr. President, I would like to interrogate Senator ProPERT, if he would not mind.



The PRESIDENT. Will the gentleman from Montgomery, Mr. Probert, permit himself to be interrogated?

Mr. PROBERT. I will, Mr. President.

Mr. DENT. Mr. President, has the Republican Caucus agreed to the amendment?

Mr. PROBERT. Well, Senator Dent, the Republican Caucus suggested that I present the amendment and they would review it after it was in print.

Mr. DENT. Mr. President, I would like to say that we on this side are not very well informed on the subject, and will have to take their advice on it.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. PROBERT. Mr. President, I ask unanimous consent that House Bill No. 1646, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### HOUSE BILL No. 1662 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1662.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1662, on second reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### HOUSE BILL No. 1683 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1683.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith with the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses

incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### HOUSE BILL No. 1716 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1716.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1716, on second reading, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### HOUSE BILL No. 1441 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1441.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### HOUSE BILL No. 1442 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1442.

The PRESIDENT. Is there objections? The Chair hears none.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregates of compensation and changing time for mailing medical reports

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 1330 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1330.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1330, on second reading, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed certain mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature or become due and payable and decrees or defects of record arise occur exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrances or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 1381 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1381.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1381, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Private Trade Schools and prescribing penalties" by further defining "agent" prohibiting agents

from representing more than one school clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 708 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 708.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 708, on second reading, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not theretofore served providing for regulation of such service after approval and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### SENATE BILL No. 824 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 824 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 824, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for guaranty by the Commonwealth of certain of said funds



imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding at the end thereof a new subsection to read as follows

#### Section 8

\* \* \* \* \*

10 Any person who was a contributor carrying membership in the one one-hundred-sixtieth (1/160) class between the first day of September one thousand nine hundred forty-nine and the first day of July one thousand nine hundred fifty and eligible to transfer to the one one-hundred-fortieth (1/140) class but who retired before the effective date of this act without making such transfer may effect such transfer by notifying and paying to the retirement board before the first day of June one thousand nine hundred fifty-two a sum equal to the difference between the sum of the amount that would have been deducted from his salary after the first day of September one thousand nine hundred forty-nine until the date of his retirement if he has elected to contribute as a member of the one one-hundred-fortieth (1/140) class and the sum of the amounts actually deducted from his salary during such period Thereupon every such person shall be entitled as of the date of his retirement to the benefits provided by this act for members of the one one-hundred-fortieth (1/140) class

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson.
Barrett,	Hare,	McPherson, Jr.	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Probert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### SENATE BILL No. 894 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar Senate Bill No. 894, which went over in its order, temporarily. I now call it up for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 894, as follows:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the effective date of this act the council of any city of the first or second class shall have the authority by ordinance for general revenue purposes to levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such city of the first or second class as it shall determine except that such council shall not have authority to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject or occupation or personal property which is now or may hereafter become subject to a State tax or license fee If subsequent to the passage of any ordinance under the authority of this act the General Assembly shall impose a tax or license fee on any privilege transaction subject or occupation or on personal property taxed by any city of the first or second class hereunder the act of Assembly imposing the State tax thereon shall automatically vacate the city ordinance passed under the authority of this act as to all taxes accruing subsequent to the effective date of the act imposing the State tax on license fee it is the intention of this section to confer upon cities of the first and second classes the power to levy assess and collect taxes upon any and all subjects of taxation which the commonwealth has power to tax but which it does not now tax or license subject only to the foregoing provision that any tax upon a subject which the Commonwealth may hereafter tax or license shall automatically terminate upon the effective date of the State act imposing the new tax or license fee

On or after the thirty-first day of December one thousand nine hundred fifty-two it shall be unlawful for the council of any city of the first class to impose any wage income or occupation tax upon any person not a resident of such city All wage income and occupation taxes imposed by any city of the first class before the effective date of this amendment on persons who are not residents of such city are hereby discontinued and abolished after the thirty-first day of December one thousand nine hundred fifty-two in so far as they apply to non-residents of such city

And said bill having been read at length the third time, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. ROSENFELD. Mr. President, as is very well known to most of the Members of the Senate, this bill is intended to eliminate the right of the city of Philadelphia to impose a wage tax on all those who live or are employed in the city of Philadelphia. I would like to state at the outset that I appreciate the deep convictions and



sincerity of the sponsors of this measure who for many years, I know, have had the problem of trying to convince their constituents that there was little if anything they could do about changing that situation.

Mr. President, this tax was imposed under a right granted by this Legislature in 1932. I think it was some time in 1937 or 1938 when the city of Philadelphia passed this tax, which the courts constantly decided permitted the city of Philadelphia to tax all those who are residents of or employed in the city of Philadelphia. Now, Mr. President, I would like to point out for the benefit of all of the Members of the Senate that the Legislature of 1932 was a Republican Legislature, that the Council of the city of Philadelphia which passed its ordinance under the power and authority granted by this act was a Republican Council, that the Supreme Court which finally had this question to decide was a Republican Supreme Court, and when I say that I am not trying to indicate that there is anything political involved. All this was brought about by reason of the fact that the city of Philadelphia was getting deeper and deeper into a financial hole, and the city Republican fathers saw no other way out except to impose this tax.

Mr. President, I know that efforts have been made in the past to have this Senate consider and pass legislation of this nature and I know, too, that every effort which was made in the past met with defeat. Now, whether it was because the city of Philadelphia was in Republican hands and the city fathers came up to Harrisburg and told their Republican associates that they needed the money and they could not pass such an act, I do not know, but what I do know is this. I do know that on November 6, 1951, in the "City of Brotherly Love," the Republican organization was swept out of office. The date was November 6, 1951. The forecast was that on the first Monday of January 1952, a Democratic regime would take over the city of Philadelphia.

Mr. President, on December 3, 1951, my good and sincere colleagues from Bucks, Montgomery and Delaware Counties, who have always been affected by that tax, introduced this measure which would take away from the new city fathers the right to continue to impose that tax on non-residents who work in the city of Philadelphia. Now, I could command your attention for some time justifying that tax. I could talk about the fact that many of the non-residents who work in the city use the city facilities, have the protection of the various city departments, and therefore should pay something toward the upkeep of the city. I appreciate full well that my colleague might take this floor to justify their position, and I would argue with them as they would argue with me. I do not question the fact that there are equities on both sides, but what I say is this, Mr. President, it does not seem to come with such good grace that within less than a month after a new administration is elected to office and is about to take office that this bill is thrown into the hopper and by its enactment the city would be threatened with chaos.

It is true, Mr. President, that the bill provides that the tax could no longer be collected after December 31, 1952. In other words, the sponsors of this measure have very graciously agreed that we, in the city of Philadelphia, would have one year of grace. All I can say, Mr. President, is that I appreciate the compliment of my colleagues

from Montgomery, Bucks and Delaware, who realize full well that the necessity for the imposition of this tax was the result of seventy-five years of Republican misrule in the city of Philadelphia, and now they are hopeful that by reason of the election of all Democratic candidates in the new city administration that within one year's time we shall do such good work that we will not be required to impose this tax anymore.

I say again, Mr. President, I appreciate the compliment and I do not doubt that the new administration will be able to do a good job and save the city a lot of money, but I think it is asking a little bit too much to expect that we shall be able to face a \$12,000,000 a year loss in revenue and be able to overcome it within one year's time. I would suggest that my colleagues, if they are really sincere and confident in our ability to do so, please not take any favorable action on this bill at this time, but give us a few years to get back on our feet and then I am sure we will be able to say with them, "We think now the tax can be removed." I ask all my colleagues to vote against the adoption or the enactment of this measure.

Mr. SILVERT. Mr. President, I intend to vote against this bill, and I should like to put on record my reasons therefor.

Mr. President, it is not only that the incoming administration will be faced with a new deficit of \$10,000,000 to \$12,000,000, but I firmly believe that the people who earn their living in the city of Philadelphia should contribute in the form of taxes to help support the city. People obtain their living in one of two ways, either by working or by investment. If they had investments in real estate in the city of Philadelphia, there would be no question about their liability for taxes. Their investment is in the form of work. They get the benefit of our streets, our lighting, our police protection. They should not object to pay part of the cost.

For those reasons, Mr. President, I intend to vote against the bill.

Mr. LANE. Mr. President, the Philadelphia wage tax on non-residents has had a long and bloody history. Since 1942, the Members of the Democratic Party have fought, both in the House and in the Senate, to repeal this obnoxious feature of this particular piece of legislation which is discriminating.

Now, Mr. President, through the years we, on the Democratic side, have supported party policy which is in opposition to imposing upon non-residents a wage tax. I recall in the Session of 1947 and in the Session of 1949, here is this Senate we stood on this floor and argued for hours about the enactment of 481, which permitted the taxing of non-residents wages, and here we are today voting on this piece of legislation. I might also add that it comes with poor grace, because if my memory is correct, Senator Watkins sponsored this legislation in 1949, and I believe it was killed in committee. It so happened that this bill was reported out, I believe, by my vote at this Session. I was in support of this amendments, because I believe the taxing of wages of non-residents is most certainly taxation without representation. I do not take the position that the shoe is on the other foot at this time. I am cognizant of the fact that Philadelphia certainly faces a financial crisis, but at the same time we, the Democratic Party, who have always fought legislation of this type, cannot reverse our position at this time,



and I call upon the Members of the Democratic Party who have adopted and supported this policy to go down the line in support of this piece of legislation.

Mr. DENT. Mr. President, this happens to be one of the occasions when both sides of the argument have a great deal of merit. That is a rare occasion in the Senate of Pennsylvania or in any other deliberative body. However, at this particular time I think most of us realize that we are acting upon legislation today of grave importance to the citizens of the city of Philadelphia.

Mr. President, we have struggled for the better part of a week now in ironing out the difficulties which confront this General Assembly because of consolidation of the city and county of Philadelphia. We have given or are attempting to give to a commission to be named by the Mayor and the Governor extensive powers in setting up that city and county consolidation. This bill does not take effect for two years. I believe the expression here is evidence that the citizens of Philadelphia have a problem in finances that we cannot solve at this time. I believe that at this time we ought to let this matter in the hands of those who are trying to frame the new government for this city, and leave unto them this particular act in order that they may determine that which is best for the new city of Philadelphia.

Mr. President, I see nothing wrong with allowing them to continue as they have in the past until they get this new framework of government established and, therefore, I can vote against this with full conscience.

Mr. WATKINS. Mr. President, I certainly appreciate some of the kind remarks over there and some of the remarks I do not appreciate. I feel as though if anyone would know anything about the merits of this bill it would be myself, and I was very fortunate to have two other gentlemen co-sponsor this bill with me, Senator Watson and Senator Proppert.

Mr. President, as you all know, Senate Bill No. 894, Printer's No. 679, is a bill which would cancel the wage tax upon those non-residents. It is a bill that in 1949, as a freshman Senator, I sponsored. I no longer classify myself as a freshman, I refer to myself as a Member of the Class of 1949." I have lived with this tax, I have had thousands and thousands of letters protesting this tax which the people in Delaware County, Montgomery County, Bucks County, Lancaster County, Chester County, consider one of the most unfair taxes which was ever imposed upon any municipality or any section of this Commonwealth. Certainly you all know that our County fought the Battle of Brandywine, yes, out in my own neighborhood. You know that they fought in Boston you know about the "Tea Party". I will not go into that. I do not think there is any use in trying to tell you the number of battles which have been fought just against this thing, taxation without representation.

Mr. President, I went to Philadelphia in 1949, and appeared before city council, and I might say that I was treated very courteously, I was treated very friendly, but yet I got nowhere. There was nothing to gain, and I remember the parting shot. It was just this. They said to me, after I had complimented the "City of Brotherly Love" and told them how much I loved the city and what I thought of it, "If you love it so well, what is wrong with the income tax that you people pay?" My answer was just this, "We do have a love for Philadelphia,

we do have an interest in you, but we do not want to pay your taxes."

Mr. President, I am more or less surprised that Senator Rosenfeld would defend this bill. As a principal speaker from Philadelphia, Senator Rosenfeld, if I might quote the record, on Tuesday, December 4, right on this Senate floor, made this statement:

"Mr. President, I see in the provisions with regard to civil service and this job freeze on behalf of an organization that has dragged the city down to its present level, on behalf of an organization that has run the city into such a ground that it has been forced to impose a wage tax on citizens who do not even live in the city of Philadelphia, I see in that the fine hand of politics, I see in that the fine hand of gutter politics."

Mr. President, why didn't Senator Rosenfeld make a political issue of it here today or tonight? Why? I ask that question. Why was not that same feeling expressed? He goes on, "I want to put the Senate on notice now—I am making no threats and I am making no warnings. We have enough important work to do without that." Well, I certainly agree with that, but since last Friday I have had to sit and listen to the troubles about something he did not like, something that they campaigned for and told the people that they were going to do, and now he comes up here and he does not want to do it, and he calls the Republicans in the city of Philadelphia gutter politicians. I resent that on behalf of my colleagues from Philadelphia. I think it was a scurrilous remark. They were not gutter politicians, they knew not where to go borrow the money, so they did call on their neighbors. I do not agree with it. It was not fair, and I still feel that way about it.

Mr. President, Senator Rosenfeld also says, along with my other very good friend, Senator Silvert, from the city of Philadelphia, that our people use their facilities, they use their trolley cars, they use their lavatories. To me, that just seems simple. I cannot understand why anyone would make a remark like that. What do you think the Philadelphians do in Delaware County, Bucks County, Montgomery County and Chester County? I happen to have an office at Third and Broomall Streets in the city of Chester. When the Ford Motor Company turns out, the Scott Paper Company, the Sinclair Refining Company, the Texas Oil Company, Sun Oil Company, South Chester Tube, my home is approximately twenty miles from that office. My son's home is about ten squares. I can be home and eating my dinner while he is trying to get out of the way of Philadelphians, trying to get back home. It is ridiculous to talk about Delaware Countians and the other people who work in the city of Philadelphia. What would the city of Philadelphia do without them? Where would they get the labor there today? There is a labor market which is in demand. It is impossible to get enough labor.

Mr. President, in 1945, there were 33,000 people working in the Sun Shipyards. In our county alone today there are 40,000 Philadelphians working in our county. You are using our streets, you are using our lavatories, you are washing your hands, you are using our streets with your automobiles, and we welcome you down there and we have got good drinking water now, too. It just cost us \$15,000,000 to pipe it into the city of Chester, and we



welcome you there all of you Philadelphians who work in our county, to drink our water and use our streets. So, that argument, to me, is just a weak, very weak excuse. I see no merit to it at all.

Mr. President, I do not know tonight how the gentlemen, my friends on the other side, intend to vote, but there is one thing I do know. I have been here for approximately twelve months in this Senate and practically every day I receive a Senate Calendar headed, "The Pennsylvania Federation of Labor," giving the bill number, the page number and what they expect you to do, whether they expect you to favor that bill or whether they expect you to oppose it. On December 17 I have this same sheet. I do not see Senate Bill No. 894 on there. I set here the whole Session and heard you people say what labor meant to you, that you were the gods representing labor, that you were their chosen people, that it was your sworn duty in this Senate to see that they were given a fair deal.

Mr. President, I say to you that the Republicans have always been fair with labor. I have and I know my colleagues have. We are very much interested in labor, and we have such distinguished gentlemen as Senator Holland, a great friend of mine, a great labor leader; Senator Neff, who I admire very much; Senator Yosko, Senator Dent, Senator Stiefel, and a lot of gentlemen over there. I say this to you, that when the roll is called here today, and it is going to be called, we are going to count noses, we are going to find out how much love you have for labor. If you can stand and vote against this bill and still say you have the interest of labor at heart, I cannot understand it. When you can dig into the envelopes of people—it is one and a quarter per cent now, and the newspapers say it will very probably be three per cent, and God knows how much further it will go because I do not think that the Democrats are going to break any records in Philadelphia; they are going to need taxes like the rest of the State of Pennsylvania, but I hope they will not need this wage tax.

Mr. President, if the gentlemen of the Senate vote against this bill, they are voting against labor. You admit it is our working people who work in Philadelphia. You are digging into their envelopes. If you vote for this bill, why didn't you vote for the income tax and put it through? It is a much fairer bill than this. I would rather pay a State income tax than pay this tax, because with the imposition of a State income tax we would have some representation and with this tax we have nothing.

Mr. President, I say this. Here is what I would like the American Federation of Labor to do for me, Senator Watkins, from Delaware County, who I think has always been a friend of labor, this is what I would like for you to do. If the labor unions are fair in their reporting of the votes of the Members of the General Assembly upon matters affecting labor, certainly they will place an extra big "A" for those voting against this bill and a big "F" for those voting for it. I would like to see that in the labor journals when I go home this winter. I want to make sure that everybody in this Senate has a chance to be polled on how they voted today. I ask and I plead with all of my colleagues, both Democrat and Republican, to send this bill out of the Senate without a single dis-

senting vote. You are protecting the rights of our Country and what we fought for years ago. If you will do that, I can say that you are friends of labor. If you do not do it, I certainly cannot put you in that column.

Thank you very much, and I hope you vote right.

Mr. STIEFEL. Mr. President, in this entire debate there is a certain phase which escaped the Membership of the Senate, a phase pertaining to taxation in municipalities. I am referring to Act 481, which was the main-spring, the fountainhead of local taxation.

Now, Mr. President, this Act 481 expressly excused Philadelphia from the powers which it grants for purposes of taxation. The present measure aims to exclude none-residents from the tax, but at the same time it does not give Philadelphia additional powers to tax, which implies that the aim of this act is to embarrass the people of Philadelphia and the new administration, so that they must impose an additional \$12,000,000 of taxes on real estate and in that way make the new government of Philadelphia unpopular. This is the reason why I thought I should bring to the attention of the Membership of the Senate this implication.

In my opinion, Mr. President, there should have been an amendment to Act 481. Then this bill would have come in good grace. Otherwise, it implies that this is an oppressive measure.

Mr. NEFF. Mr. President, I realize the hour grows late and that we have been here about sixteen hours today. I have just listened, as have most all of us here in this chamber, to the distinguished gentleman from Chester, Senator Watkins, in what I believe was a sincere presentation. Certainly I appreciate his feelings. Each of the speakers proceeding me has spoken of the principle involved in the measure before the Senate at the moment. I, too, believe there is a principle to be considered, a principle of taxation without representation.

Mr. President, two years ago I voted against the ripper to 481, Senate Bill No. 446, which took from 481 a severance tax and thereby made it necessary to levy a wage tax on many small communities, especially the coal economy communities throughout the State. I have legislated and spoken against the principle of wage tax, and in particular, taxation without representation or a tax on non-residents, many times. However, the principle does not stand alone here this evening. The principle is compromise, compromise, with malice and despicable intent of the Majority Membership here in the Senate seeking to impose a hardship upon a new administration in the city of Philadelphia, and as the principle has been compromised, so my thoughts on this matter must be compromised.

Mr. President, two years ago, as the Senator from Chester has told you, he introduced this same measure, although at that time the Republican Party, a discredited organization, was in the saddle in the administration in Philadelphia, and his colleagues on the other side saw fit to see that his measure did not come out of committee. However, the worm has turned, as it will, and we have a Democratic administration about to take office in Philadelphia, and so the Republican Caucus has decided that this bill, exempting non-residents from the Sterling Act in the city of Philadelphia, shall come out of committee. By caucus action here this evening they



hope, by the strength of a majority vote on the other side of the house, to pass a measure here in this Senate and send it on to the House, hoping that they can discredit and cripple the Democratic organization in the city of Philadelphia. I am wondering if they have forgotten that although the city of Philadelphia voted a Democratic administration into office on November 6, that there are still a few Republicans left in the city of Philadelphia, that they have the responsibility to see that the greatest city in this Commonwealth is not crippled and hamstrung by vicious legislation such as this.

Mr. President, we have wrangled here for a week over a consolidation measure of the same character in which a Republican majority in this Senate has sought to cripple, discredit and hamstring the Democratic organization in the city of Philadelphia. I think it is unfair, uncalled for and un-American, and I, for one, am going to vote against this measure because I believe it is un-American and I cannot, in good conscience, vote for a principle which is compromised by malice and evil intent as this measure before us here today is.

Mr. HALUSKA. Mr. President, I want to concur in the remarks made by my colleague from Washington County, Senator Lane, to the point that I remember how long and how hard we fought to oppose the acts known as 481 and 486. Tonight it has been stated that it may be somewhat different. However, you cannot compromise a principle and this may be a great night in the history of Pennsylvania. It is to me because in all the years that I have spent on the Hill, this is the first night that I have heard a Republican rise in place and have his heart bleed for labor. I do not know whether it is love or convenience, I think it may be convenience. It has been stated that we shall all be judged on how we vote, that labor shall pay attention to whether or not we are for labor or not. The Democratic Party has always been for labor.

Mr. President, tonight there is a vast difference of opinion. I would like to go along with my colleague from Philadelphia, Senator Rosenfeld, but I cannot. I will go along with my colleague from Washington County in this case, because that is my opinion. I have always opposed a wage tax. That is why I fought so hard against a State income tax, which is a wage tax, and certainly I cannot fight against one measure and fight for another of the same nature. So, I am going to vote for this bill, Mr. President.

Mr. BYRNE. Mr. President, it seems to me that the November 6 election is not over yet. The Republican organization is trying every method possible to ruin the Democratic Party in Philadelphia.

Mr. President, last week we spent a few days and we almost spent another full day today, on the Ripper Bill which we all know would never have been introduced in this Senate if the Republican Party had won the election on November 6. We all know that there was a deal made on this Ripper Bill, that if these gentlemen surrounding Philadelphia would support the Kephart Bill they, in turn, would get this bill passed in the Senate.

Mr. President, I just heard one of my colleagues on the other side talk about courage. Where was his courage and the other Senators' courage when this bill died in committee everytime it showed its face? It never came

out of committee when the Republicans had control of Philadelphia.

Mr. President, we have had a wage tax in Philadelphia for over twelve years. We need that wage tax and we need the tax that comes in from the non-residents. We are being saddled with a \$15,000,000 deficit from the Republican organization as it is going out of power, and along with this \$12,000,000, we are going to wind up with \$27,000,000 of a deficit facing the city of Philadelphia come January 1.

Mr. President, I heard a gentleman on the other side talk about labor, what fighters they are for labor. I am proud of my record as a labor man. I am a laborer, I hold a union card. In fact, I have never voted against labor, but if they pass this bill in this house tonight they are voting against labor, because the labor people in Philadelphia will have to bear the brunt of this \$12,000,000. The reason that you do not see any notification on the labor bulletin is due to the fact that they do not discriminate. They do not feel that the people in Delaware County, Bucks County, Montgomery County and across the river in Camden, should be exempt of any taxation.

Mr. President, I say to you gentlemen tonight on the other side of the house that we better stop acting like machine politicians and act like men, and support legislation which will not be to the detriment of the working man and his family. I say to you, Mr. President, I hope that this bill goes down to defeat tonight.

Mr. PROPERT. Mr. President, I suppose it is just a coincidence that one hundred seventy-eight years ago today the "Boston Tea Party" was staged, and as we all know the "Boston Tea Party" was staged because of taxation without representation.

Mr. President, I have been interested in some of the remarks that have been made on the floor of this Senate concerning this bill. In order to keep the record straight, Mr. President, it was my privilege to serve in the House of Representatives for six years before being elected to this august body, and I should like to state for the benefit of the Members of this Senate that I voted for and was successful in having a part in passing this very same bill in the Session of 1947, in the House of Representatives. Therefore, I feel that I am on safe ground when I say that this is not a partisan measure. All that this bill does, gentlemen, is prohibit the city of Philadelphia from assessing an unfair tax on non-residents. I think we are justified in taking the new administration at their word. They have promised economies, and I, for one, feel that they will effect economies.

Mr. President, in this connection I should like to point out that this bill does not take effect until December 31, 1952, which gives them one year in which to get their house in order. Furthermore, Mr. President, I should like to point out that under Act 481, under which there are various municipalities levying wage taxes, the wage tax can be offset under Act 481. That is to say, if the resident lives in one municipality and pays a tax in that municipality, it can be deducted from the tax which is assessed against the individual working in the adjoining municipality. That I point out, gentlemen of the Senate, is not true in this case. I should like to ask all my colleagues on this side of the house to support this bill.

Mr. LANE. Mr. President, I wish to make my position specifically clear. I recall in the Session of 1943, I supported a number of distinguished representatives from Philadel-



phia County, Joseph O'Brien, Jake Levy and many others, in their fight against the Philadelphia Wage Tax. I recall in that particular Session, I think it was the Session of 1945, I had the honor and the privilege to join with the distinguished gentleman, now deceased, former Speaker of the House of Representatives, Ellwood Turner, in our fight against the Philadelphia Wage Tax on non-residents.

I say to you, Mr. President, we of the Democratic Party have joined with the eleven Republicans in opposing the administration's one-half of one per cent income tax, and I say to you also, Mr. President, I, for one, was proud to oppose that piece of legislation because we feel that it is the prerogative of the Federal Government to levy income and wage taxes. So, I say to you this evening, to all the Members here, regardless of the administration, I have opposed wage taxes, I have opposed the enactment of 481, I have opposed the enactment of that obnoxious amendment 446, and I say to the Democratic Members, who I know are for labor and in sympathy with the cause of labor that we should support this legislation.

Mr. President, before I take my seat I want Senator Watkins to know that we on the Democratic side have always championed the cause of labor. There is no exception to that rule here tonight. I say to him, also, that if he is sincere in his thoughts in regard to labor, let him support the amendments to House Bills Nos. 1441 and 1442, and also I would like his assistance in getting my full crew bill out of the House of Representatives.

Mr. PECHAN. Mr. President, I did not want to get into this debate but just to keep the record straight, not to be accused of gutter politics, I want my colleague on the other side, if they do not remember, to look up my vote. I voted for this bill two years ago. I intend to vote for it again tonight.

Mr. YOSKO. Mr. President, may I interrogate the gentleman from Delaware, Senator Watkins?

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS.: I will, Mr. President.

Mr. YOSKO. Senator Watkins, is the Philadelphia wage tax paid by non-residents deductible from the Federal Income Tax?

Mr. WATKINS. Mr. President, I do not know, I am not an income tax man, I do not even make out my own income tax return. I could not tell you that. It is getting so, Senator, since the Democrats have put so many taxes on in Washington, that I cannot understand it. It is beyond me. I cannot keep up with them.

Mr. YOSKO. Mr. President, can anyone answer that question?

Mr. WALKER. Would you repeat the question Senator?

Mr. YOSKO. Is the Philadelphia wage tax which is paid by the non-resident employees, those who work in Philadelphia, deductible from the Federal Income Tax?

Mr. WALKER. Well, now, Senator, if the rest of the members of the Bar Association will forgive me for transgressing upon our minimum fee bill, yes it is.

Mr. SILVERT. Mr. President, there were at least four Democratic Senators on this side of the aisle who expressed their views on this question and this type of tax on non-residents of Philadelphia. I was rather surprised that the two Philadelphia Senators, Senator Kephart and Senator Meade, on the other side of the aisle, have seen

fit not to give expression as to their ideas and their thoughts on this tax.

Mr. MEADE. Mr. President, I have tried for about twenty minutes to have some say in this thing, because it happens to be local with me. However, we have Senators from all over the State to whom this matter seems to be of much more interest than it is to Philadelphia, and it so happened that I had to be invited to talk because I was not recognized on the floor. I stood up five times, and I was not seen. I do not blame you, Mr. President, because for some reason theatricals seem to play a big part in this house.

Mr. President, I am against this tax. I do not intend to make a long harangue. Arguments have been made on both sides, pro and con, on this measure. I had intended to sit by and let Mr. Rosenfeld, who I feel so ably expressed the opinion that I have, present the argument. I join also in Senator Stiefel's views on the matter. I would have had a lot more to say if they did not say it, and I am not going to take up the time of the Senate with repetition.

Mr. President, there is one thing I do want to say. I resent the fact and I resent it very deeply that this tax which has been fought on both sides of the Senate is being made political fodder by some people on the other side. There never was a deal made by the Republican organization of Philadelphia to bring this bill out or favor this bill. Two years ago I was called the "Watchdog." I was called the "Watchdog" by my very good friend here, Senator Watkins. He said "If it were not for that 'red head' in there, I think I could have made it," and they are true words, and I dogged him just as much this time and I fought just as hard in caucus this time. We lost three Republicans who were previously able to help me and maybe those men would have gotten some votes on the other side but this time we lost them. I think we should be fair about this thing. Let us not inject the new Democratic regime into this thing. I am against it now as I was always. We need the money and I am for it. We in Philadelphia certainly cannot have flower gardens and garages and things like that, but we have to stand some of the odors of industrial plants, and then when the quiet of night comes down and we live in the city by ourselves, we have to pay the taxes and pay the wherewithal.

Mr. President, Senator Watkins said that he has to live with the tax. We have to live with the city twenty-four hours a day. I am not going to go too far and argue pro and con on this thing. I am against it, but I resent the fact that the other side tried to bring political deals into this, that Senator Kephart and I tried to make a deal. It is a lie, it is untrue and Senator Kephart will say it. Senator Silvert should have had the courage to have given me an opportunity to express my views, and if I failed to do so, he could then say, "Senator Meade did not stand up."

Mr. President, that is my feeling on the matter, and I ask everybody to give Philadelphia a chance and give us the wherewithal; even if it is only temporary, as they say, give us a chance to come back and give us a chance to go forward. It is a new city now. The Republicans lost and the Democrats have the right to defer to the will of the people who are still fighting for their city, notwithstanding the fact that we are on the losing side. I want everyone in this Senate, whether they are for the bill or against it, to realize that there are at least two people on this side of the house who are just as sincere now as they ever were and ever will be.



Mr. KEPHART. Mr. President, I, too, intend to vote against this bill. Senator Meade is correct when he said there was no deal made by us, or by the Republican organization in Philadelphia, to go along with this bill and permit it to be passed. I think it is a bad bill, I think Philadelphia is entitled to be paid some recompense for the advantage that the non-residents get when they come into Philadelphia, police protection, fire protection, all the advantages during the day when they earn their living, all the protection that the citizens of Philadelphia receive. Let me say that the amount they are paying is proportionately very little because four-fifths of the city taxes are paid by real estate, by the citizens themselves, and a much larger share of the wage taxes is paid by the citizens of Philadelphia than is paid by the non-residents. So, when you figure out the total amount paid by non-residents, compared to the total taxes paid by the citizens of Philadelphia, it is very small in comparison to the advantages they get which the city has to pay for.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

During the calling of the roll the following occurred:)

Mr. BYRNE. Mr. President, I ask for a verification of the roll.

Mr. ROSENFELD. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Hare,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Lane,	Propert,	Walker,
Diehm,	Letzler,	Robinson,	Watkins,
Fleming,	Mahany,	Snowden,	Watson,
Freed,	Mallery,	Stevenson,	Wolfe,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Holland,	McGinnis,	Ruth,
Byrne,	Kephart,	Meade,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
DiSilvestro,	McCreesh,	Rosenfeld,	Wood,
			Yosko,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Hare,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Lane,	Propert,	Walker,
Diehm,	Letzler,	Robinson,	Watkins,
Fleming,	Mahany,	Snowden,	Watson,
Freed,	Mallery,	Stevenson,	Wolfe,

#### NAYS—17

Bane,	Holland,	McGinnis,	Ruth,
Byrne,	Kephart,	Meade,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
DiSilvestro,	McCreesh,	Rosenfeld,	Wood,
			Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS INTRODUCED AND REFERRED

Mr. TAYLOR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. TAYLOR and BARR read in place and presented to the Chair Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June, one thousand nine hundred thirty-seven, P. L. 1333) entitled "An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees.

Which was committed to the Committee on Elections.

Mr. PROPERT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PROPERT read in place and presented to the Chair Senate Bill No. 940, entitled:

An Act to further amend section nineteen of the act, approved the twenty-eighth day of March, one thousand eight hundred and fourteen (P. L. 352), entitled "An act establishing a fee bill," by increasing the fees of coroners.

Which was committed to the Committee on Local Government.

Mr. WATSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON read in place and presented to the Chair Senate Bill No. 941, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting the taxing power of vocational school districts; and providing for merging of and annexation of territory to, vocational school districts.

Which was committed to the Committee on Education.

## SENATE BILL No. 897 CALLED UP

Mr. WALKER. Mr. President, I call up for reconsideration at this time Senate Bill No. 897.

The PRESIDENT. Is there objection? The Chair hears none.

## RECONSIDERATION OF SENATE BILL No. 897

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 897, passed second reading, as amended.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the Motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

## BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 897, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia abolishing other such former County officers boards and commissions and distributing their former duties specifying the former County employees who shall have a civil service status under the Philadelphia Home Rule Charter and upon what conditions exempting certain officers and employees from the civil service provisions of the Philadelphia Home Rule Charter imposing additional duties upon the Governor of the Commonwealth and upon the Judges of the Courts of Common Pleas the Judges of the Orphans' Court the Prothonotary the Board of Registration Commissioners and certain City officers departments boards and commissions of Philadelphia specifying how the number qualifications and compensation of employees who were not heretofore City employees but who were paid out of the City treasury shall be determined and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 2, subsection (f), first line of said subsection, by striking out "All present county officers" and inserting in lieu thereof: "All officers including those elected at the one thousand nine hundred fifty-one municipal election and replacing former county officers."

It was agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth, seventh, eighth, and ninth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do

now take a recess for fifteen minutes, to permit a meeting of the Committee on Elections.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## REPORT FROM COMMITTEE

Mr. PEELOR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PEELOR, from the Committee on Elections, reported as committed, Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1233), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees.

## BILL ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees.

And said bill having been read at length the first time, Ordered, To be laid aside for the second reading.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 796

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 796, entitled:



An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption; prescribing penalties; and authorizing the courts of common pleas to enjoin violations.

The PRESIDENT. The report will lie over for printing under the rules.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for twenty minutes.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess havin elapsed the Senate will be in order.

### THIRD READING CALENDAR

#### BILLS ON THIRD READING CALLED UP

Mr. WALKER. Mr. President, I call the attention of the gentlemen of the Senate to page 9 of the Third Reading Calendar. I call up for consideration at this time the bills remaining on page 9.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1141, on third reading, entitled:

An Act making an appropriation to the Orlando S. Johnston Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1143, on third reading, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boys' Dormitory.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1144, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefore and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1146, on third reading, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1147, on third reading, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time the bills remaining on page 10 of today's Calendar.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1148, on third reading, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1150, on third reading, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1165, on third reading, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Hall in Philadelphia.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1178, on third reading, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1188, on third reading, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING CALLED UP

Mr. WALKER. Mr. President, I call up for consideration

at this time the bills remaining on page 11 of today's Calendar.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1217, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1422, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1423, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1488, on third reading, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1494, on third reading, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for fifteen minutes; to permit of meeting of the Committee on Rules.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

### HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 792

The Clerk of the House of Representatives being introduced, presented communication from the House of Rep-

resentatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 792, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates; and for their admission to, and care therein, and the payment of the cost thereof.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 967

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 967, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," providing for sick and disability leave with salary, and hospital and medical expenses, for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1135

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1135, entitled:

An Act to amend the title and Section 2 and 3 of the act, approved the third day of June, one thousand nine hundred forty-three (P. L. 847), entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations; and making an appropriation," by authorizing the State Council to purchase, own, install, maintain and lease, equipment and accessories for suitable business enterprises for the blind, accept Federal funds and making an additional appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1149

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1149, entitled:

An Act making an appropriation to the Department of Public Instruction, including proceeds of publications sold, for the purpose of revising the curricula of elementary, secondary and vocational schools.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1152

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Instruction to pay expenses in the operation of the Speech and Hearing Rehabilitation Centers.



#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1215

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen, magistrates, and justices of the peace; and imposing liability therefor upon the county in certain cases.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1541

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1541, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the Incodel Plan, a four-State compact for the distribution among New York, New Jersey, Delaware, and Pennsylvania, of the waters of the Delaware River Basin.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1639

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1654

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1654, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

#### HOUSE CONCURS IN SENATE BILL No. 319

He also returned to the Senate, Senate Bill No. 319, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes," by providing for the method of valuation of taxable shares of stock in any regulated investment company.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 729

He also returned to the Senate, Senate Bill No. 729, entitled:

An Act to repeal Sections 2 and 3 of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 891

He also returned to the Senate, Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by permitting employees of school districts to serve as councilmen.

with the information that the House has passed the same without amendments.

#### HOUSE BILL No. 370 TAKEN FROM TABLE

Mr. DENT. Mr. President, I call from the table House Bill No. 370 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF HOUSE BILL No. 370

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 370, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County Pennsylvania

failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of House Bill No. 370, as follows:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County Pennsylvania  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars (\$50,000) is hereby specifically appropriated to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County Pennsylvania

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 819 TAKEN FROM TABLE

Mr DENT. Mr. President, I call from the table House Bill No. 819 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF HOUSE BILL No. 819

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 819, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania

failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 819, as follows:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty-four thousand seven

hundred dollars (\$84,700) or as much thereof as may be necessary is hereby appropriated to the Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of the maintenance of said institute

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Toole,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
Fleming,			

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### HOUSE BILL No. 1065 TAKEN FROM TABLE

Mr. DENT. Mr. President, I call from the table House Bill No. 1065 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF HOUSE BILL No. 1065

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1065, as follows:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million eight hundred eighty-



seven thousand dollars (\$1,887,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### HOUSE BILL No. 1066 TAKEN FROM TABLE

Mr. DENT. Mr. President, I call from the table House Bill No. 1066 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF HOUSE BILL No. 1066

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1066, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1066, as follows:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million three hundred seventy-five thousand dollars (\$1,375,000) or as much thereof as may be necessary is hereby specifically appropriated to the Temple University Medical School at Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one for the general maintenance of the medical school and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the medical school

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1121 TAKEN FROM TABLE

Mr. DENT. Mr. President, I call from the table House Bill No. 1121 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF HOUSE BILL No. 1121

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1121, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1121, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

Section 1 The sum of one hundred ten thousand dollars (\$110,000) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial School at Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## HOUSE BILL No. 1122 TAKEN FROM TABLE

Mr. DENT. Mr. President, I call from the table House Bill No. 1122 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

## RECONSIDERATION OF HOUSE BILL No. 1122

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1122, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

The motion was agreed to.

## BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1122, as follows:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thirty-one thou-

sand dollars (\$331,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the College of Lincoln University Chester County for the two fiscal years beginning June first one thousand nine hundred fifty-one for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem for the best interests of the university

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## HOUSE BILL No. 1126 TAKEN FROM TABLE

Mr. DENT. Mr. President, I call from the table House Bill No. 1126 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

## RECONSIDERATION OF HOUSE BILL No. 1126

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1126, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research

failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. PRESIDENT, I voted with the prevailing side.

The motion was agreed to.

## BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1126, as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research



The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million five hundred thousand dollars (\$1,500,000) or as much thereof as may be necessary is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the support and promotion of medical education and to provide for the maintenance and support of a research institute of preventive and industrial medicine

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1127 TAKEN FROM TABLE

Mr. DENT. Mr. President, I call from the table House Bill No. 1127 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF HOUSE BILL No. 1127

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1127, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1127, as follows:

An Act making an appropriation to the Trustees of Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars (\$1,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of maintenance of a school of medicine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1130 TAKEN FROM TABLE

Mr. DENT. Mr. President, I call from the table House Bill No. 1130 for reconsideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF HOUSE BILL No. 1130

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1130, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

failed on final passage.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. PRESIDENT, I voted with the prevailing side.

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1130, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred ninety-two thousand dollars (\$492,000) or as much thereof as may be

Section 1 The sum of four hundred ninety-two thousand dollars (\$492,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the general maintenance of and for research in the School of Veterinary Medicine of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the School of Veterinary Medicine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### CALENDAR

##### SENATE BILL No. 871 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar Senate Bill No. 871, which went over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 1, page 2, lines 4 to 7 by striking out all of lines 4, 5, 6 and the words "Eighteenth nineteenth and twentieth wards" in line 7 and inserting in lieu thereof:

"first, second, third, fourth, twenty-sixth, thirtieth, thirty-sixth, thirty-ninth, and forty-eighth wards"; Amend Sec. 1, page 2, lines 11, 12, and 13 by striking out all of lines 11 and 12 and the words "sixth forty-eighth and fifty-first wards" in line 13 and inserting in lieu thereof: "twenty-seventh, thirty-fourth, fortieth, forty-fourth, forty-sixth, fifty-first, and fifty-second wards"; Amend Sec. 1, page 2, lines 18 and 19 by striking out both of said lines; Amend Sec. 1, page 3, lines 1 and 2 by striking out all of line 1 the word "second" in line 2 and inserting in lieu thereof: "fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-fifth, thirty-first and forty-fifth"; Amend Sec. 1, page 3, lines 5, 6, and 7 by striking out all of lines 5 and 6 and the words "and forty-fifth" in line 7 and inserting in lieu thereof: "twenty-fourth, twenty-eighth, twenty-ninth, thirty-second, thirty-seventh, thirty-eighth and forty-seventh"; Amend Sec. 1, page 3, lines 9 and 10 by striking out the words "twenty-first twenty-second forty-second forty-ninth and fiftieth" and inserting in lieu thereof: "twenty-third, thirty-third, thirty-fifth, forty-first and forty-third"; Amend Sec. 1, page 3 by inserting after line 11 the following: "The Sixth District shall consist of the twenty-first, twenty-second, forty-second, forty-ninth, and fiftieth wards of the City of Philadelphia";

Amend Sec. 1, page 3, line 14 by striking out the word "sixth" and inserting in lieu thereof: "seventh"; Amend Sec. 1, page 3, line 16 by striking out the word "seventh" and inserting in lieu thereof: "eighth"; Amend Sec. 1, page 3, line 18 by striking out the word "eighth" and inserting in lieu thereof: "ninth"; Amend Sec. 1, page 4, line 1 by striking out the word "ninth" and inserting in lieu thereof: "tenth"; Amend Sec. 1, page 4, line 4 by striking out the word "tenth" and inserting in lieu thereof: "eleventh"; Amend Sec. 1, page 4, line 6 by striking out the word "eleventh" and inserting in lieu thereof: "twelfth"; Amend Sec. 1 page 4, line 8 by striking out the word "twelfth" and inserting in lieu thereof: "thirteenth"; Amend Sec. 1, page 4, line 10 by striking out the word "thirteenth" and inserting in lieu thereof: "fourteenth"; Amend Sec. 1, page 4, line 12 by striking out the word "fourteenth" and inserting in lieu thereof: "fifteenth"; Amend Sec. 1, page 4 line 14 by striking out the word "fifteenth" and inserting in lieu thereof: "sixteenth"; Amend Sec. 1, page 4, line 16 by striking out the word "sixteenth" and inserting in lieu thereof: "seventeenth"; Amend Sec. 1, page 5, line 1 by striking out the word "seventeenth" and inserting in lieu thereof: "eighteenth"; Amend Sec. 1, page 5, line 3 by striking out the word "and"; Amend Sec. 1, page 5, line 3 by inserting after the word "Franklin" the following: "Bedford and Somerset"; Amend Sec. 1, page 5, line 4 by striking out the word "eighteenth" and inserting in lieu thereof: "nineteenth"; Amend Sec. 1, page 5, line 6 by striking out the word "nineteenth" and inserting in lieu thereof: "twentieth"; Amend Sec. 1, page 5, lines 8 to 15 inclusive, by striking out all of said lines; Amend Sec. 1, page 5, line 16 by striking out the words "all that part of"; Amend Sec. 1, page 5, lines 17, 18, and 19 by striking out the words "not hereinbefore included in" in line 17 and all of lines 18 and 19; Amend Sec. 1, page 6, lines 1 to 6 inclusive, by striking out all of said lines; Amend Sec. 1, page 6, line 16 by striking out the word



"and" where it appears the first time in said line; Amend Sec. 1, page 6, line 16 by striking out the words "together with the cities of Clairton and Duquesne" and inserting in lieu thereof: "and Fayette"; Amend Sec. 1, page 9, lines 2 to 19, both inclusive, by striking out all of said lines; Amend Sec. 1, page 10, lines 1 to 19, both inclusive, by striking out all of said lines; Amend Sec. 1, page 11, lines 1 to 7, both inclusive, by striking out all of said lines and inserting in lieu thereof: "The Twenty-seventh District shall consist of the nineteenth, twentieth, twenty-eighth, twenty-ninth, thirtieth and thirty-second wards of the city of Pittsburgh, the boroughs of Baldwin, Bethel, Brentwood, Bridgeville, Carnegie, Castle Shannon, Coraopolis, Crafton, Dormont, Greentree, Heidelberg, Ingram, Jefferson, Mount Oliver, McKees Rocks, Oakdale, Rosslyn Farms, Thornburg, West Elizabeth, Part of McDonald Borough in Allegheny County and Pleasant Hills, and the townships of Baldwin, Collier, Crescent, Findlay, Kennedy, Mount Lebanon, Moon, Neville, North Fayette, Robinson, Scott, Snowden, South Fayette, Upper St. Clair, and Stowe, all in the County of Allegheny. The Twenty-eighth district shall consist of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, twenty-second, twenty-third and twenty-fourth wards of the city of Pittsburgh. The Twenty-ninth district shall consist of the twenty-first, twenty-fifth, twenty-sixth and twenty-seventh wards of the city of Pittsburgh, the boroughs of Aspinwall, Avalon, Bellevue, Ben Avon, Ben Avon Heights, Blawnox, Breckenridge, Bradford Woods, Cheswick, Churchill, Edgewood, Edgeworth, Emsworth, Etna, Fox Chapel, Glenfield, Haysville, Leetsdale, Millville, Oakmont, Osborne, Sewickley, Sewickley Heights, Sharpsburg, Springdale, Tarentum, Verona, West View, and Wilkinsburg, and the townships of Aleppo, East Deer, Fawn, Franklin, Frazer,

Hampton, Harrison, Harmar, Indiana, Kilbuck, Leet, Marshall, McCandless, O'Hara, Ohio, Penn, Pine, Plum, Reserve, Richland, Ross, Sewickley, Sewickley Heights, Shaler, Springdale and West Deer, all in the county of Allegheny. The Thirtieth district shall consist of the fifteenth, sixteenth, seventeenth, eighteenth and thirty-first wards of the city of Pittsburgh, the cities of Duquesne, and McKeesport, the boroughs of Braddock, Braddock Hills, Chalfont, Dravosburg, East Pittsburgh, East McKeesport, Eden Park, Elizabeth, Forest Hills, Glassport, Homestead, Liberty, Monroeville, Munhall, North Braddock, Pitcairn, Port Vue, Rankin, Swissvale, Turtle Creek, Versailles, Wall, Whitaker, West Homestead, West Mifflin, Wilmerding, Trafford (part of which is in Allegheny County) and White Oak, and the townships of Elizabeth, Forward, Lincoln, North Versailles, South Versailles, and Wilkins all in the County of Allegheny.

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, December 18, 1951, at 5:15 o'clock, p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Tuesday, December 18, 1951, at 5:15 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, December 17, 1951

The House met at 1:00 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

Reverend John Yates, guest Chaplain and clergyman of the Presbyterian Church, Harrisburg, offered the following prayer:

Our Lord and Father of us all—we bow humbly before Thee. Be present with this Assembly. Bless the members and their homes. Give them wisdom and guidance this day. In Christ's Name we beseech Thee, Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Friday, December 14, 1951? If not, and without objection, the Journal is approved.

## COMMUNICATION

## RESOLUTION—AMERICAN PHILOSOPHICAL SOCIETY

The SPEAKER laid before the House a Resolution from the American Philosophical Society of Philadelphia on proposed limitations of freedom of thought and expression.

## SENATE MESSAGES

## SENATE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL NO. 1544

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL No. 1692.

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one

thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by changing the date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL No. 1693.

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions for the calendar year 1951 and thereafter further providing for the disposition of moneys received hereunder and changing penalties

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL No. 1695.

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL No. 1697.

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Common-



wealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL No. 1698.

An Act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

#### BILL INTRODUCED AND REFERRED

By Mr. JOHNSON.

#### HOUSE BILL No. 1742.

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth.

Referred to the Committee on Ways and Means.

#### REPUBLICAN CAUCUS

The SPEAKER. Immediately upon the calling of a recess there will be a Republican caucus in the new House Caucus Room.

#### DEMOCRATIC CAUCUS

Mr. ANDREWS. Mr. Speaker, it will probably be necessary for the Minority to ask the privilege of a short caucus when the House reconvenes after the recess.

The SPEAKER. The Chair thanks the gentleman. The Minority Leader will have an opportunity to make such a request.

#### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for two hours. The Chair hears none, and a recess is declared.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### DEMOCRATIC CAUCUS

Mr. ANDREWS. I ask permission of the House to hold a brief meeting of the Democratic Caucus in the old House Caucus Room immediately.

The SPEAKER. The Chair hears no objections, and consent is granted.

#### SENATE MESSAGES

#### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

#### SENATE BILL No. 61.

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

Referred to the Committee on Appropriations.

#### SENATE BILL No. 162.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

Referred to the Committee on Appropriations.

#### SENATE BILL No. 258.

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Referred to the Committee on Appropriations.

#### SENATE BILL No. 283.

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County Pennsylvania

Referred to the Committee on Appropriations.

#### SENATE BILL No. 284.

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

Referred to the Committee on Appropriations.

#### SENATE BILL No. 286.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

Referred to the Committee on Appropriations.

#### SENATE BILL No. 455

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

#### SENATE BILL NO. 465.

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Referred to the Committee on Appropriations.

## SENATE BILL No. 552.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

Referred to the Committee on Appropriations.

## SENATE BILL No. 554.

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania.

Referred to the Committee on Appropriations.

## SENATE BILL No. 560.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

Referred to the Committee on Appropriations.

## SENATE BILL No. 923.

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes.

Referred to the Committee on Cities and County—Second Class.

## SENATE BILL No. 925.

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only and authorizing licenses and tags for groups of counties.

Referred to the Committee on Game and Forestry.

## SENATE BILL No. 927.

An Act relating to and regulating the contracts of incorporated towns and providing penalties.

Referred to the Committee on Municipal Corporations.

## SENATE BILL No. 929.

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds and validating zoning ordinances or amendments thereto of

political subdivisions not filed recorded or indexed as required by law.

Referred to the Committee on Municipal Corporations.

## SENATE BILL No. 930.

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law.

Referred to the Committee on Municipal Corporations.

## SENATE MESSAGES

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 862 entitled:

An Act to add Section 501.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising authorizing school directors of school districts in townships consolidating and changing the laws relating thereto" by of the second class to appoint special school police and defining the power and duties of such police

And has appointed Messrs. Wagner, Letzler and Lane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1641 entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

And has appointed Messrs. Wagner, Letzler and Lane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:



## HOUSE BILL No. 1544.

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

## HOUSE BILL No. 1692.

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and review and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by changing the due date of certain payments requiring additional reports and extending additional reports and extending the provisions of the act for a further limited period of time

## HOUSE BILL No. 1693.

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions for the calendar year 1951 and thereafter further providing for the disposition of moneys received hereunder and changing penalties

## HOUSE BILL No. 1695.

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers bounds and departments making an appropriation and providing penalties" by changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

## HOUSE BILL No. 1697.

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the

time of his death and of property within the Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to fifteen per centum

## HOUSE BILL No. 1698.

An Act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships association and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## BILL ON FINAL PASSAGE

## BILL PASSED OVER

There being no objection,

Senate Bill No. 27, Printer's No. 672, was passed over at the request of the SPEAKER.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 241, as follows:

An Act to amend section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the age range of children prohibited admittance to moving picture theatres during school hours

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 646 Admission of Children to Motion Picture Theatres Whoever being the owner proprietor or lessee or the agent of such owner proprietor or lessee of any moving picture theatre during the term of compulsory attendance of public schools as fixed by the board of school directors in any school district and during the hours and upon the days such schools are in actual session admits or permits entrance into such moving picture theatre of any child [between eight (8) and fourteen (14) years of age] subject to compulsory school attendance laws unless accompanied by a parent or other responsible adult or unless such child presents a permit signed by the teacher of such child allowing such child to be absent from school during school hours and permitting admission to the moving picture theatre shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding ten dollars (\$10) for the first offense and not exceeding twenty-five dollars (\$25) for the second and every subsequent offense and in default of the payment of such fine



and costs shall be committed to jail one (1) day for each dollar of fine and costs imposed

Such permit shall be retained by the owner proprietor lessee or agent and shall be preserved for a period of six (6) months

A copy of the provisions of this section shall be posted at a conspicuous place at or near the entrance into every moving picture theatre

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boies,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hocker,	Miller, H. G.,	Sollenberger,
Breisch,	Hersch,	Miller, J. C.,	Spencer,
Breth,	Hewitt,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VasSant,
Dairymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBols,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	
Goodling,			Speaker

#### NAYS—0

#### NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1230, as follows:

An Act to further amend subsections (a) and (b) of Section 16 of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrolment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registratin commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration cmissions county election boards election officers municipal ficers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further providing for the appointment of certain registrars removing certain obsolete provisions and fixing days and hours of registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) and (b) of Section 16 of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as last amended by the act approved the fifth day of March one thousand nine hundred forty-seven (P. L. 24) are hereby further amended to read as follows

Section 16 Days and Hourse of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice

(a) [Form and after the first day of May one thousand nine hundred and thirty-seven each] Each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sunday holidays the day of each election and each primary the fifty days next preceding each general and municipal election and each primary [thirty-five (35) days next preceding each municipal election] and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the boroughs towns and townships as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal application fro mperson who claim that they are entitled to be registered as electors of any borough town or township and who appear for registration [Provided however That in the year one thousand nine hundred and



thirty-seven applications for personal registration shall be received up to and including the first day of September anything in this section to the contrary notwithstanding And provided further That in the year one thousand nine hundred and thirty-seven each commission shall arrange to have two (2) registrars present to receive applications for the personal registrations of electors at the polling place or some suitable place in each election district in the boroughs towns and townships of such county on at least three separate days prior to the thirtieth day previous to the primary election to be held in the year one thousand nine hundred thirty-seven (one of them being in June and another in July and the third day being in August) Of the two registrars who shall sit in each election district prior to the thirtieth day previous to the primary in the year one thousand nine hundred and thirty-seven one shall be a member of the party enrolling the largest number of voters within the election district for the preceding November election and the other shall be a member of the party enrolling the second largest number of voters within the election district for such election Such registrars shall be appointed by the commission for the year of one thousand nine hundred and thirty-seven and shall hold office only during such year No person shall be so appointed unless his name is suggested in writing by the county chairman of the party which is entitled to a registrar in such district as herein provided unless the county chairman of the proper party fails to make such suggestion on or before the nineteenth day of June one thousand nine hundred and thirty-seven in which case the commission may appoint any qualified person]

(b) The commission by its own action may or upon the signed petition of at least one hundred qualified electors of any borough town or township requesting the same shall cause at least two registrars to sit not later than fifty days prior to the primary [or] general and municipal election [and thirty-five (35) days prior to each municipal election] for the purpose of receiving personal applications for registrations for change of party enrollment and removal notices from electors of said borough town or township at a suitable and conveniently located place in said borough town or township for at least one day and not more than three days continuously [between the hours of 10 a m and 3 p m and between the hours of 7 p m] during hours prescribed by the commission between 10 a m and 10 p m The hours prescribed by the commission shall be uniform throughout the county and shall not be changed during a registration period Such petitions to be effective shall be filed with the commission at least sixty-five days prior to any primary [or] general or municipal election [and at least fifty (50) days prior to each municipal election] Immediately upon such motion of the commission or immediately upon the receipt of any such petition the commission shall [notify in writing the county chairman of the political parties enrolling the largest and second largest number of voters within the county at the preceding November election of the filing of said petition and of the number of registrars the commission will appoint to serve in said boroughs towns and townships Not later than the third day after receipt of said notice said chairman shall submit to the commission a list of] appoint qualified electors of the county to serve as registrars for said days Of the registrars appointed by the commission for such registration days an equal number shall be [appointed from the names of each of the lists so submitted Provided however That if either or both of said chairmen shall fail to submit such list within the time herein provided the commission shall appoint an equal number of persons from the list actually submitted and an equal number of any qualified electors of the county or shall appoint as all of such registrars any qualified electors of the county as the casemay bel members of the respective political parties enrolling the largest and second largest number of voters within the county for the preceding November election

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pas finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudensfield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dairympole,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Praff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

## NAYS—0

## NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1231, as follows:

An Act to further amend subsection (a) and (b) of section 17 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political



parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further providing for the appointment of certain registrars and fixing days and hours for registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (b) of section 17 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as last amended by the act approved the fifth day of March one thousand nine hundred forty-seven (P. L. 30) are hereby further amended to read as follows

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice (a) [From and after the effective date of this act each] Each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sunday holidays the day of each election and each primary the fifty days next preceding each general and municipal election and each primary [thirty-five (35) days next preceding each municipal election] and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration

(b) Not later than fifty days prior to each primary [and] general and municipal election [and thirty-five (35) days prior to each municipal election] the commission shall cause at least two registrars to sit for at least two separate days at a suitable and centrally located place in each city other than the office of the commission for the purpose of receiving personal applications for registration applications for change of party enrollment and removal notices from the electors of such city Such registrars shall sit on said days continuously [between the hours of 10 a m and 3 p m and between the hours of 7 p m] during hours prescribed by the commission between 10 a m and 10 p m The hours prescribed by the commission shall be uniform throughout the county and shall not be changed during a registration period Im-

mediately upon the action of the commission which shall be taken in due time as to the number of days of such registration and as to the number of registrars to be appointed for such purpose the commission shall [notify in writing the county chairman of the political parties enrolling the largest and second largest number of voters within the county at the preceding November election of such action and of the number of registrars the commission will appoint to serve in said cities Not later than the third day after receipt of said notice said chairman shall submit to the commission a list of] appoint qualified electors of the county to serve as registrars for said days Of the registrars appointed by the commission for such registration days an equal number shall be [appointed from the names on each of the lists so submitted Provided however That if either or both of said chairmen shall fail to submit such list within the time herein provided the commission shall appoint an equal number of persons from the list actually submitted and an equal number of any qualified electors of the county or shall appoint as all of such registrars any qualified electors of the county the case may be] members of the respective political parties enrolling the largest and second largest number of voters within the county for the preceding November election

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Murray,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,



Gaffney, Geer, Gibson, Gleason, Good, Goodling,	Lutty, Lyons, Madden, Madigan, Markley,	Rigby, Riley, R. L., Robertson, Rose, Rosen,	Yetzer, Young, Ziegler, Sorg, Speaker
--	---	--	---

NAYS—0

NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1398, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 As much as applies to the Department of Labor and Industry of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions nad officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 867) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions

and officers are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the proceeding section as follows

\* \* \* \* \*

In the Department of Labor and Industry  
Workmen's Compensation Board  
Workmen's Compensation Referees  
State Workmen's Insurance Board  
The Industrial Board  
Unemployment Compensation Board of Review  
Pennsylvania Labor Relations Board  
Advisory Council on Affairs of the Handicapped  
Section 2 Section 203 of said act as last amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 867) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1695) is hereby further amended to read as follows

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made parts of the respective administrative departments as follows

In the Department of Military Affairs  
State Military Reservation Commission  
State Veterans Commission  
In the Department of Forests and Waters  
State Forest Commission  
Flood Control Commission  
In the Department of Health  
Advisory Health Board  
In the Department of Labor and Industry  
Industrial Board  
Advisory Council on Affairs of the Handicapped  
In the Department of Welfare  
State Welfare Commission  
In the Department of Property and Supplies  
General Galusha-Pennypacker Monument Commission

Section 3 Said act is hereby further amended by adding after Section 461 thereof a new section to read as follows

Section 462 Advisory Council on Affairs of the Handicapped The Advisory Council on Affairs of the Handicapped shall consist of nine members who shall be named by the Governor three of whom shall be representative of employers three as representatives of bona fide labor organizations having state-wide or national membership and three who are themselves physically handicapped from bona fide organizations of the physically handicapped.

The Secretary of the State Department of Labor shall be ex officio chairman of said advisory council

The terms of the members shall be for three years from the dates of their respective appointments

Five members of the Advisory Council shall constitute a quorum Each member of the Advisory Council shall be paid travelling expenses and per diem compensation at the rate of fifteen dollars per day for each day of actual service

The Advisory Council shall meet not less than twice yearly or oftener on the call of the chairman

Section 4 Said act is hereby further amended by adding after Section 2209 a new section to read as follows

Section 2209.1 The Advisory Council on Affairs of the Handicapped The Advisory Council on Affairs of the Handicapped shall have the power and its duties shall be

(a) To act in an advisory capacity to all agencies of the State government dealing with the problems of the physically handicapped including the State Board of Vocational Rehabilitation the State Employment service and the State Council of the Blind and any other agency having a substantial part of the Handicapped Program with a view of coordinating and improving these services so as to render better service to the handicapped and to effectuate as far as possible greater economy in the operation of these State services

Section 5 The provisions of this act shall become effective immediately upon final enactment



And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Graybill,	Maxwell,	Rovansek.
Andrews,	Greenwood,	Mazza,	Royer.
Banker,	Greer,	McConnell,	Rubin.
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax.
Bear,	Guthrie,	McDermitt,	Scanlon.
Beaver,	Hagerty,	McGee,	Schmidt.
Beech,	Hall,	McInroy,	Schuster.
Berkstreser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler.
Bloom,	Harney,	McNally,	Shotwell.
Boies,	Haudenschild,	Metz,	Shoemaker.
Bolton,	Headlee,	Mihm,	Smith.
Bomberger,	Helm,	Mikula,	Snider.
Bower,	Herscht,	Miller, H. G.,	Sollenberger.
Breisch,	Hewitt,	Miller, J. C.,	Spencer.
Breth,	Hocker,	Mills,	Stank.
Brown,	Heggard,	Mintess,	Stimmel.
Buccina,	Hunter,	Monroe,	Stoner.
Byrne,	Jenkins,	Moore, C. E.,	Swartz.
Cella,	Johnson,	Moore, H. A.,	Swope.
Clapper,	Jones, G. E.,	Moran,	Tahl.
Clendenning,	Jones, J. M.,	Muldowney,	Taylor.
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll.
Corr,	Kamyk,	Najaka,	Tompkins.
Costa,	Keller,	Naugle,	Toomey.
Coyle,	Kent,	Needham,	VanSant.
Dalrymple,	Kline,	Olsen,	Varallo.
Davis,	Kohl,	Penglase,	Verona.
Dennison,	Kolankiewicz,	Peta,	Wachhaus.
Dougherty,	Kornick,	Petrosky,	Wargo.
Dowling,	Kratz,	Pettigrew,	Waterhouse.
Duffy,	Kubacki,	Pfaff,	Watkins.
Dunn,	Lafore,	Pichney,	Weidner.
Erb,	Lederer,	Pitzer,	Welsh.
Ewing,	Lelsey,	Polaski,	Wescott.
Fenrich,	Leonard, L.,	Polen,	Westrick.
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley.
Filip,	Leven,	Price, R. A.,	Wheeler.
Filo,	Light,	Readinger,	White.
Firmstone,	Limper,	Reagan,	Williams.
Flack,	Loftus,	Reese,	Wilt.
Frost,	Lopresti,	Reidenbach,	Wood.
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel.
Geer,	Lutty,	Rigby,	Yetzer.
Gibson,	Lyons,	Riley, R. L.,	Young.
Gleason,	Madden,	Robertson,	Ziegler.
Good,	Madigan,	Rose,	Sorg.
Goodling,	Markley,	Rosen,	Speaker

## NAYS—1

DuBois.

## NOT VOTING—1

Varner.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1704, as follows:

An Act to further amend section 4 and 8 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for

water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 and 8 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefore the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 580) are hereby further amended to read as follows

Section 4 The lien for taxes shall exist in favor of and the claim therefore may be filed against the property taxed by and municipality to which the tax is payable

The lien for the removal of nuisances shall exist in favor of and the claim therefor may be filed against the property from which it is removed or by which it is caused by any municipality by or for which the nuisance is removed

The lien for grading guttering paving macadamizing or otherwise improving the cartways of any highways for grading curbing recurring paving repaving constructing or repairing the footways thereof or for laying water pipes gas pipes culverts sewers branch sewers or sewer connections in any highway for assessments for benefits in the opening widening or vacation thereof or in the changing of watercourses or construction of sewers through private lands or in highways of townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same or for water rates lighting rates or sewer rates or rates for any other service furnished by a municipality shall exist in favor for any other service furnished by a municipality shall exist in favor or and the claim therefor may be filed against the property thereby benefited by the municipality extending the benefits or the city borough or township in which the property is located if the work material or service forming the basis of such lien was supplied by a municipal authority organized by a county of the second class or city of the third class and such liens or the claim therefor has been assigned to it

Municipal authorities organized by counties of the second class or cities of the third class are hereby authorized to assign their municipal claims and their liens to the city borough or township in which the property subject thereto is located and cities boroughs and townships in which such property is located are hereby authorized to purchase the same Upon such assignment or purchase the city borough or township acquiring such municipal claim or lien shall have the same rights thereunder as if it had supplied the work material or service upon which



such municipal claim or lien is based

When the contractor performing the work is to be paid by assessment bills the lien shall exist for and the claim shall be filed to his use and he shall under no circumstances have recourse to the municipality authorizing the work

Section 8 When claims are to be filed to use the claimant at least one month before the claim is filed shall serve a written notice of his intention to file it unless the amount due is paid Service of such notice may be made personally on the owner wherever found but if he cannot be served in the country where the property is situated such notice may be served on his agent or the party in possession it may be posted on the most public part of the property

The provisions of this section shall not apply if the use-plaintiff is a city borough or township to which a municipal claim of a municipal authority organized by a county of the second class or city of the third class has been assigned or sold as provided in section four of this act and the procedure for filing revising and enforcing liens for such assigned claim shall be the same as is provided in this act for filing reviving and enforcing liens based on such use-plaintiff's own municipal claims

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando.	Graybill,	Maxwell,	Rovansek.
Andrews.	Greenwood,	Mazza,	Royer,
Banker.	Greer,	McConnell,	Rubin,
Barkdoll.	Guarnieri,	McCullough,	Sarraf,
Baumunk,	Gutendorf,	McCormack,	Sax,
Bear.	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger.
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dairymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,

Flack,  
Frost,  
Gaffney.  
Geer,  
Gibson.  
Gleason.  
Good.  
Goodling,

Lopresti,  
Lovett,  
Lutty,  
Lafore,  
Lyons,  
Madden,  
Madigan,  
Markley,

Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson.  
Rose.  
Rosen.

Wood,  
Yeakel,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—1

Varnier,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. KRATZ asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

#### RESOLUTION

#### CONDOLENCE

Messrs. KATZ, THOMAS H. W. JONES and BOLTON offered a resolution which was read, considered and unanimously adopted by a rising vote as follows:

In the House of Representatives, December 17, 1951.

The citizens of Lansdale, irrespective of their partisan interests, have sustained an irreparable loss. One of their distinguished and revered leaders—the Honorable Howard F. Boorse—has been called from his labors on earth to the serenity of rest in his eternal abode.

Mr. Boorse filled his long and active life with a multitude of interests and achievements. As a founder and an organizer of the Pennsylvania Magistrates' Association, he activated their program of achievement with his contribution of outstanding thought and service.

In the Local Government Commission, his consideration, his self-effacing attitude, his ever-expressed courtesies, made the association of others in the work with him a privilege and a pleasure for them.

Mr. Boorse was closely linked with the building and loan association movement and with his characteristic earnestness and sincerity faithfully attended scheduled meetings throughout many years.

His interest in the problems and the aspirations of our youth was always close to his heart. Unfailingly and unstintingly, he dedicated his time and energy and resources to the desirable goal of orienting young people to the obligations of changing society.

Throughout his long career in politics, his civic interests and public services have been a challenge and an inspiration to his younger colleagues, many of whom have tried to emulate his idealism and high purpose; therefore be it

Resolved, That the House express its great sorrow at the sudden death of one of its most esteemed members—the Honorable Howard F. Boorse—and mourn the loss to the citizenry of Lansdale of a high-principled, friendly and understanding leader and servant; and be it further

Resolved, That the House express to his surviving widow and child its condolences and prayers in their hour of bereavement, and its conviction that they will proudly and affectionately remember that many years of happy association with him; and be it further

Resolved, That a copy of this resolution be transmitted to Mrs. Howard F. Boorse, 42 Vine Street, Lansdale, Pennsylvania.



## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 500, as follows:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" as last amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 499) is hereby further amended to read as follows

## An Act

Empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class or by cities of the third class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the

same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made

Section-2 Section 2.1 of said act as added by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 499) is hereby amended to read as follows

Section 2.1 It shall be lawful for any county of the second class city borough incorporated town or township to execute such agreements and contracts as it may deem necessary or advisable with an authority organized by a county of the second class or by a city of the third class undertaking to provide or to design or construct facilities with which to provide sewer sewerage or sewage treatment service to it and to its inhabitants also to grant convey lease transfer encumber mortgage and pledge to such authority its sewers sewerage systems sewage treatment works and appurtenant facilities and any improvements extensions and additions thereto to assign and pledge to such authority rentals rates and charges charged and collected by it for the use thereof and to assign to such authority its power to charge and collect the same No such agreement contract grant conveyance lease transfer assignment encumbrance mortgage or pledge shall be construed to prevent the affected county of the second class city borough incorporated town or township from thereafter using its tax revenues for the purpose of maintaining repairing altering inspecting improving or extending such sewers sewerage systems or sewerage treatment works

Every such agreement contract grant conveyance lease transfer assignment encumbrance mortgage and pledge heretofore made to or with any authority organized by a county of the second class or by a city of the third class is hereby ratified confirmed and made valid and the same shall be and remain lawful valid and enforceable according to its terms

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkoill,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toil,
Corr,	Lovett,	Najaka,	Tompkins,
Costa,	Kamyk,	Naugle,	Toomey,
Coyle,	Keller,	Needham,	VanSant,
Dalrymple,	Kent,	Olsen,	Varallo,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,



DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Kohl,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

NAYS—0

NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 502, follows:

An Act to amend the title and Section 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class and exempting public utilities from the obligations imposed in said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The title and Sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain upon the Pennsylvania Public Utility commission in connection therewith" are hereby amended to read as follows

#### An Act

Authorizing and requiring cities boroughs townships and municipal authorities [and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class or cities of the third class authorizing and

requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith

Section 1 If the owner or occupant of premises served by any water utility as hereinafter defined shall neglect or fail to pay for a period of thirty (30) days from the due date thereof any rental rate or charge for sewer sewerage or sewage treatment service imposed by any municipal authority organized by any county of the second class or city of the third class such water utility is hereby authorized and required at the request and direction of such authority or of the city borough or township to which the authority shall have assigned its claim or lien for such service to shut off the supply of water to such premises until all such overdue rentals rates and charges together with any penalties and interest thereon shall be paid If such authority or such city borough or township shall also supply water to any premises it is hereby authorized to shut off the supply of water of such premises as herein set forth

Section 5 As used in this act the term "Water Utility" or "Water Utilities" shall be construed to include all cities boroughs townships and municipal authorities [and public utility companies] engaged in the supplying of water or water service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Graybill,	Maxwell,	Rovanse,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boies,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,

Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

NAYS—0

NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 503, as follows:

An Act to amend the title and Sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting Public Utilities from the obligations imposed therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" are hereby amended to read as follows

#### An Act

Authorizing and requiring cities borough townships and municipal authorities [and public utility companies] engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class or by cities of the third class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith

Section 1 If the owner or occupant of premises served by any water utility as hereinafter defined shall neglect or fail to pay for a period of thirty (30) days from the

due date thereof any rental rate or charge for sewer seweraged sewage treatment service imposed by any municipal authority organized by any county of the second class or by any city of the third class such water utility is hereby authorized and required at the request and direction of such authority or of the city borough or township to which the authority shall have assigned its claim or lien for such service to shut off the supply of water to such premises until all such overdue rentals rates and charges together with any penalties and interest thereon shall be paid If such authority or such city borough or township shall also supply water to any premises it is hereby authorized to shut off the supply of water to such premises herein set forth

Section 5 As used in this act the term "Water Utility" or "Water Utilities" shall be construed to include all cities boroughs townships and municipal authorities [and Public Utility Companies] engaged in the supplying of water or water service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Bofes,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBols,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Lopresti,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

NAYS—0

NOT VOTING—1

Varner,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 504, as follows:

An Act to further amend the title and section 2.1 of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer sewerage and sewage treatment services

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 2.1 of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage system and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" as amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 499) are hereby further amended to read as follows

#### An Act

Empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon em-

powering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class or cities of the third class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made

Section 2.1 It shall be lawful for any county of the second class city borough incorporated town or township to execute such agreements and contracts as it may deem necessary or advisable with an authority organized by a county of the second class or city of the third class undertaking to provide or to design of construct facilities with which to provide sewer sewerage or sewage treatment service to it and to its inhabitants also to grant convey lease transfer encumber mortgage and pledge to such authority its sewers sewerage systems sewage treatment works and appurtenant facilities and any improvements extensions and additions thereto to assign and pledge to such authority rentals rates and charges charged and collected by it for the use thereof and to assign to such authority its power to charge and collect the same No such agreement contract grant conveyance lease transfer assignment encumbrance mortgage or pledge shall be construed to prevent the affected county of the second class city borough incorporated town or township from thereafter using its tax revenues for the purpose of maintaining repairing altering inspecting improving or extending such sewers sewerage systems or sewerage treatment works

Every such agreement contract grant conveyance lease transfer assignment encumbrance mortgage and pledge heretofore made is hereby ratified confirmed and made valid and the same shall be and remain lawful valid and enforceable according to its terms

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando.	Graybill.	Maxwell.	Rovansek.
Andrews.	Greenwood.	Mazza.	Royer.
Banker.	Greer.	McConnell.	Rubin.
Barkdoll.	Guarnieri.	McCormack.	Sarraa.
Baumunk.	Gutendorf.	McCullough.	Sax.
Bear.	Guthrie.	McDermitt.	Scanlon.
Beaver.	Hagerty.	McGee.	Schmidt.
Beech.	Hall.	McInroy.	Schuster.
Berkstresser.	Hamilton, R. E.	McKinney.	Scott.
Blair.	Hamilton, W. H.	McMillen.	Seyler.
Bloom.	Harney.	McNally.	Shoemaker.
Boies.	Haudenshield.	Metz.	Shotwell.
Bolton.	Headlee.	Mihm.	Smith.
Bomberger.	Helm.	Mikula.	Snider.
Bower.	Hersch.	Miller, H. G.	Sollenberger.
Breisch.	Hewitt.	Miller, J. C.	Spencer.
Breth.	Hocker.	Mills.	Stank.
Brown.	Hoggard.	Mintess.	Stimmel.
Buchlin.	Hunter.	Monroe.	Stoner.
Byrne.	Jenkins.	Moore, C. E.	Swartz.
Cella.	Johnson.	Moore, H. A.	Swope.
Clapper.	Jones, G. E.	Moran.	Tahl.
Clendenling.	Jones, J. M.	Muldowney.	Taylor.
Cochran.	Jones, P. F.	Munley.	Thompson, E. F.
Conway.	Jones, T. H. W.	Murray.	Thompson, R. L.
Cooper.	Jump.	Musto.	Toll.
Corr.	Kamyk.	Najaka.	Tompkins.
Costa.	Keller.	Naugle.	Toomey.
Coyle.	Kent.	Needham.	VanSant.
Dairymple.	Kline.	Olsen.	Varallo.



Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus.
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse.
Duffy,	Kubacki,	Pfaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	
Goodling,			Speaker

## NAYS—0

## NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 586, as follows:

An Act relating to the administration without the appointment of a guardian of estates value at one thousand dollars or less of weak minded persons drug addicts and inebriates and providing a procedure therefor The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever hereafter any person because of mental infirmities of old age mental illness drug addiction or inebriety shall become unable to manage his property and in consequence therefor is liable to dissipate or lose the same and to become the victim of designing persons and his entire real and personal estate wherever located has a gross value of one thousand dollars or less all or any part of it may be received and held or disposed of on behalf of such person by the person or institution maintaining such person without the appointment of a guardian or the entry of security in any of the following circumstances

(1) When the court having jurisdiction of a decedent's estate or of a trust in awarding the interest of such person shall so direct

(2) When the court having jurisdiction to direct the sale or mortgage of real estate in which such person has an interest shall so direct as to the interest of such person in the real estate

(3) In all other circumstances when the court which would have had jurisdiction to appoint a guardian of the estate of such person shall so direct

Section 2 The court having jurisdiction may authorize or direct the person or institution maintaining the incompetent person to execute as natural guardian any receipt deed mortgage or other appropriate instrument necessary to carry out a decree entered under Section 1 and in such event may require the deposit of money in a savings account or the care of securities in any manner considered by the court to be for the best interests of the incompetent person The decree so made except as the court shall expressly provide otherwise shall constitute sufficient authority to all transfer agents registrars and others dealing with property of the incompetent person to recognize the persons named therein as entitled to receive the prop-

erty and shall in all respects have the same effect as an instrument executed by a duly appointed guardian under court decree

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarra,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenschild,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Bower,	Helm,	Mikula,	Snider,
Breisch,	Hersch,	Miller, H. G.,	Sollenberger,
Breth,	Hewitt,	Miller, J. C.,	Spencer,
Brown,	Hocker,	Mills,	Stank,
Bucchin,	Hoggard,	Mintess,	Stimmel,
Byrne,	Hunter,	Monroe,	Stoner,
Cella,	Jenkins,	Moore, C. E.,	Swartz,
Clapper,	Johnson,	Moore, H. A.,	Swope,
Clendening,	Jones, G. E.,	Moran,	Tahl,
Cochran,	Jones, J. M.,	Muldowney,	Taylor,
Conway,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cooper,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Corr,	Jump,	Musto,	Toll,
Costa,	Kamyk,	Najaka,	Tompkins,
Coyle,	Keller,	Naugle,	Toomey,
Dairymple,	Kent,	Needham,	VanSant,
Davis,	Kline,	Olsen,	Varallo,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

## BILL PASSED OVER

There being no objection

Senate Bill No. 793, Printer's No. 476 was passed over at the request of the SPEAKER.



Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 823, as follows:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employes in addition to their retirement allowances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 4301 and 4303 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No. 164) are hereby further amended to read as follows

Section 4301 Police Pension Fund Direction of Cities shall establish by ordinance a police pension fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three per centum of the pay of such member which fund shall at all times be under the direction and control of council but may be committed to the custody and management of such officers of the city or citizens thereof or corporations located therein as may be designated by council and applied under such regulations as council may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such allowances as shall be made to those who are retired by reason of the disabilities of age shall be in conformity with a uniform scale together with service increments as hereinafter provided of the police pension fund shall be paid from the general fund of the city

Section 4303 Allowances and Service Increments (a) Payments for allowances shall not be a charge on any other fund in the treasury of the city or under its control save the police pension fund herein provided for. The basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of injury death honorable discharge or retirement and except as to service increments provided for in subsection (b) of this section shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

(b) In addition to the retirement allowance which is authorized to be paid from the police pension fund by this act and notwithstanding the limitations therein placed upon such retirement allowances and upon contributions every contributor who shall become entitled to the retirement allowance shall also be entitled to the payment of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by ordinance during which a contributor has been employed by such city and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fourth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this act. In computing the service increment no employment after the contributor has reached the age of sixty-five years shall be included and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month

(2) Each contributor from and after the effective date of this amendment shall pay into the retirement fund a monthly sum in addition to his or her retirement contribution which shall be equal to one-half of one per

centum of his or her salary. Provided That such payment shall not exceed the sum of one dollar (\$1.00) per month. And provided That such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years

(3) Persons who are contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday

(4) Service increment contributions shall be paid at the same time and in the same manner as retirement contributions and may be withdrawn in full without interest by persons who leave the employment of such city subject to the same conditions by which retirement contributions may be withdrawn

(5) All members of the police force who are now contributors to the retirement fund and all those employed by the city after the effective date of this amendment if required to become contributors to the retirement fund shall be subject to the provisions of this act

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarraf,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McInroy,	Schmidt,
Berkstresser,	Hall,	McGee,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenshield,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Bower,	Helm,	Mikula,	Snider,
Brelsch,	Hersch,	Miller, H. G.,	Sollenberger,
Breth,	Hewitt,	Miller, J. C.,	Spencer,
Brown,	Hocker,	Mills,	Stank,
Buechin,	Hoggard,	Mintess,	Stimmel,
Byrne,	Hunter,	Monroe,	Stoner,
Cella,	Jenkins,	Moore, C. E.,	Swartz,
Clapper,	Johnson,	Moore, H. A.,	Swope,
Clendening,	Jones, G. E.,	Moran,	Tahl,
Cochran,	Jones, J. M.,	Muldowney,	Taylor,
Conway,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cooper,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Corr,	Jump,	Musto,	Toll,
Costa,	Kamyk,	Najaka,	Tompkins,
Coyle,	Keller,	Naugle,	Toomey,
Dalrymple,	Kent,	Needham,	VanSant,
Davis,	Kline,	Olsen,	Varallo,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Relly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
		Robertson,	Ziegler,



Gleason,      Madden,      Rose,      Sorg,  
Good,      Madigan,           Speaker

NAYS—0

NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 831, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause 1 of Section 3 and subsection 2 of Section 12 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and right from taxation and judicial process and providing penalties" as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 966) are hereby further amended to read as follows

#### Employees' Retirement Association

Section 3 A school employees' retirement association is hereby organized the membership of which shall consist of the following

1 All present employees—including employees in the Pennsylvania Institution for the Instruction of the Blind Overbrook Philadelphia Pennsylvania the Western Pennsylvania Institution for the Blind Pittsburgh Pennsylvania the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia Pennsylvania and the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb Wilksburg Pennsylvania—except those specifically excluded by paragraph three of this section who by written application to the Superintendent of Public Instruction shall elect before the first day of July nineteen hundred and [fifty-one] fifty-three to be covered by the retirement system Provided That such employee shall at the time of making such application pay into the School Employees' Retirement Fund to the credit of the employees' annuity savings account as provided for in paragraph number six of section eight of this act an amount equal to what

would have been at that date the contributions from the salary of such employee had the election to be covered by the retirement system been made prior to the first day of July nineteen hundred and nineteen

#### Withdrawal

##### Section 12 \* \* \* \* \*

2 Should an employee so separated from the school service return within five years and restore to the School Employees' Retirement Fund to the credit of the annuity savings account his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by him or her at that time shall be restored

Each employee who separated from school service at any time and shall have returned or shall return to school service prior to July first one thousand nine hundred and [fifty-one] fifty-three shall at retirement for superannuation be entitled to have full credit for each year of service in the public schools of Pennsylvania Provided

(a) He or she shall have rendered not less than fifteen years of service in the public schools of Pennsylvania prior to the retirement and

(b) He or she shall have restored to the School Employees' Retirement Fund to the credit of the annuity savings account before the first day of July one thousand nine hundred [fifty-one] fifty-three his or her accumulated deductions as they were at the time of his or her separation

Each employee who separates from school service after the first day of July one thousand nine hundred and thirty-eight and who returns to school service after a longer absence than five years shall have his or her annuity rights restored in accordance with the provisions of this paragraph provided he or she fulfills the conditions named in paragraph (a) of this clause and provided he or she shall have restored to the School Employees' Retirement Fund to the credit of the annuity savings account within two years after such return to service his or her accumulated deductions as they were at the time of his or her separation and in addition thereto shall have left with the retirement board at least twenty per centum of his or her accumulated deductions at the time of his or her separation and shall return to service prior to the age of sixty years

Notwithstanding any other provisions of this act any employee who shall have rendered service in the public schools of Pennsylvania prior to the first day of July one thousand nine hundred nineteen and has not been given credit for such service shall at retirement for superannuation be given full credit for each year of such prior service and shall receive for such prior service a further State annuity to be computed in the same manner as is herein provided for present employees

In no case shall an employee who has separated from school service and who later returned to school service after five or more years of absence be eligible to retirement on account of disability until he or she shall have rendered at least three years of service subsequent to such return

In any case the restoration of the accumulated deductions provided herein may be made by the payment of a lump sum or any actuarial equivalent approved by the retirement board

Subject to such rules and regulations as the retirement board may adopt the provisions of this act shall be applicable beginning July first one thousand nine hundred and twenty-five to all who are on the retired list of Pennsylvania public school employees at the time this bill becomes a law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?



Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando.	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rovansek,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Scott,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lyons,	Rigby,	Yetzer,
Geer,	Lutty,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	
Goodling,			Speaker

## NAYS—0

## NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 869, as follows:

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revisions amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund to counties of the second class to beneficiaries having heretofore retired

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-eight day of June one thousand nine hundred fifty-one (Act No. 149) is hereby further amended to read as follows

Section 322 Amount of Retirement Payment The retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employee as salary or wages during the two years immediately preceding the date of retirement of the employee receiving the retirement allowance and no person receiving a retirement allowance shall be required to pay any amount into the retirement fund No retirement allowance hereafter paid to any beneficiary who has heretofore retired or who shall hereafter retire shall be less than seventy-five dollars (\$75.00) per month nor shall it exceed the sum of one hundred seventy-five dollars (\$175.00) per month Retirement allowances shall be paid in monthly installments on warrant on the board

Section 2 The county commissioners shall appropriate any additional moneys necessary to carry out the provisions of this act in the manner provided by section three hundred seventeen of the act to which this is an amendment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarraff,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenshield,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Bower,	Helm,	Mikula,	Snider,
Breisch,	Hersch,	Miller, H. G.,	Sollenberger,
Breth,	Hewitt,	Miller, J. C.,	Spencer,
Brown,	Hocker,	Mills,	Stank,
Bucchin,	Hoggard,	Mintess,	Stimmel,
Byrne,	Hunter,	Monroe,	Stoner,
Cella,	Jenkins,	Moore, C. E.,	Swartz,
Clapper,	Johnson,	Moore, H. A.,	Swope,
Clendening,	Jones, G. E.,	Moran,	Tahl,
Cochran,	Jones, J. M.,	Muldowney,	Taylor,
Conway,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cooper,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Corr,	Jump,	Musto,	Toll,
Costa,	Kamyk,	Najaka,	Tompkins,
Coyle,	Keller,	Naugle,	Toomey,
Dalrymple,	Kent,	Needham,	VanSant,
Davis,	Kline,	Olsen,	Varallo,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,

Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 898, as follows:

An Act to amend Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further defining eligibility for the office of school director

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 322 Eligibility Incompatible Offices Any citizen of this Commonwealth having a good moral character being twenty-one (21) years of age or upwards and having been a resident of the district for at least one (1) year prior to the date of his election or appointment shall be eligible to the office of school director therein Provided That any person holding any office or position of profit under the government of any city of the first class or the office of mayor chief burgess county commissioner district attorney city borough or township treasurer member of council in any municipality township commissioner road supervisor tax collector assessor assistant assessor any comptroller auditor constable county superintendent or assistant county superintendent supervisor principal teacher or employe of any school district shall not be eligible as a school director in this Commonwealth This section shall not prevent any district superintendent assistant district superintendent supervisor teacher or employe of any school district from being a school director in a district other than the one in which he is so employed and other than in a district with which the district in which he is employed operates a joint school or department A school director shall not be eligible to the office of member of council in any municipality

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Graybill,	Maxwell,	Rovanssek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,

Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBols,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Fillip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

## NAYS—0

## NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McMILLEN.

The House resumed the consideration on final passage of House Bill No. 1624, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of



Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards further defining "Assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and fined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to [enable them to maintain] provide for themselves and their dependents a decent and healthful standard of living [and for indigent homeless or transient persons] The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State or Federal funds only to persons entitled under this act to assistance other than dependent children aged persons [and] blind persons and disabled persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 2 Clauses (a) (b) (c) and (j) of section four of said act clause (a) of which was amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) clauses (h) and (c) of which were last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) and clause (j) of which was added by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) are hereby amended or further amended to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

(a) To allocate to the several assistance programs funds whith which to provide assistance and funds for administrative expenses and as may be needed from time to time to keep reasonable emergency funds in the hands of local boards which shall be used subject to the rules regulations and standards of the department by the executive director for the furnishing of assistance and pensions respectively in emergency cases upon applica-

tion to him or under the direction of any member of the local board

(b) To establish with the approval of the State Board of Public Assistance rules regulations and standards consistent with the law as to eligibility for assistance and as to its nature and extent and to enforce compliance therewith by the local boards and by persons receiving assistance

(c) To [exercise general supervision of the local boards and to establish for such boards rules regulations and standards as to accounting and as to forms records and reports so as to effect reasonable uniformity] direct and supervise the local boards to establish for such boards rules regulations and standards and to enforce compliance therewith

\* \* \* \* \*

(j) Whenever the department deems it necessary and advisable to purchase credit reports and other services on a fee basis or to employ investigators on a salary basis for the purpose of supplementing or confirming the investigation of eligibility for assistance by local boards

Section 3 Section five of said act as last amended in part by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 5 Establishment of County Boards of Assistance (a) For each county of the Commonwealth there is hereby established a county board of assistance to be known as the

County Board of Assistance which shall be composed of men and women to be appointed as hereinafter provided The board shall be composed as far as possible of persons engaged or interested in business social welfare labor industry education or public administration The members of the board shall serve without compensation but shall be reimbursed for necessary expenses No member of a board shall hold office in any political party Not all of the members of a board shall belong to the same political party

(b) Each board shall be composed of eleven members in counties of the first and second classes and of seven members in other counties In each county having a board of seven the Governor shall with the advice and consent of two-thirds of all the members of the Senate appoint two members to serve for the term ending December thirty-first one thousand nine hundred thirty-eight two members to serve for the term ending December thirty-first one thousand nine hundred thirty-nine and three members to serve for the term ending December thirty-first one thousand nine hundred forty In each county having a board of eleven the Governor shall in the same manner appoint three members to serve for the term ending December thirty-first one thousand nine hundred thirty-eight four members to serve for the term ending December thirty-first one thousand nine hundred forty After the original appointments any vacancy caused by the expiration of a term shall be filled by an appointment in the manner above provided for a term of three years and any vacancy otherwise caused shall be filled for the duration of the unexpired term by appointment in the same manner [No member of a board shall be eligible to serve for more than two consecutive terms] Any member of a board who has served all or any portions of three consecutive three-year terms as above specified shall be ineligible for further reappointment until after one full term has passed If service is terminated for any reason before such maximum period of service is completed and the member is reappointed to a term ending at a different time from his original series of terms his service shall be computed as if he were continuing to serve in the original series A member of a board who misses three or more consecutive meetings without reasons satisfactory to the rest of the board will be regarded as having in effect resigned from the position

(c) Each board shall organize annually and elect from among its members a chairman vice-chairman and a secretary



Section 4 Clauses (b.1) and (c) and (f) of section seven of said act clause (b.1) of which was added by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) and clauses (c) and (f) of which were amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) are hereby amended or further amended to read as follows

Section 7 Powers and Duties of County Boards of Assistance Each county board of assistance shall have the power and its duty shall be

\* \* \* \* \*

(b.1) To administer public assistance in the county and determine the eligibility [of applicants] for assistance of applicants and continued eligibility for assistance of persons receiving the same in accordance with law and the general principles and policies determined by the State Board of Public Assistance

\* \* \* \* \*

(c) To conform to the rules regulations and standards established by the Department of Public Assistance [as to accounting and as to forms records and reports]

\* \* \* \* \*

(f) To supervise the administration of and promote any other public function related to assistance or to the work of the Department of Public Assistance or of the county board of assistance which shall be committed to the board by a political subdivision of the Commonwealth with the approval of the [State Board] Department of Public Assistance

Section 5 Clause (j) of section seven of said act as added by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby repealed

Section 6 Section nine of said act as last amended in part by the acts approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) the sixteenth day of May one thousand nine hundred forty (1941 P. L. 945) the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 475) the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 546) the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) the eighth day of July one thousand nine hundred forty-seven (P. L. 1448) and the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 767) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Any person residing within this Commonwealth shall hereafter be entitled to receive public assistance as provided by law without regard to the period of time he or she has resided therein and the Department of Public Assistance charged with the granting of public assistance may do so without regard to the period of time any person seeking public assistance and otherwise entitled thereto shall have resided within this State Provided however That if the applicant for public assistance has resided in Pennsylvania for less than one year immediately preceding the date of making application for assistance such person shall only be entitled to receive public assistance if her or she was last a resident of a state which by law regulation or reciprocal agreement with Pennsylvania grants public assistance to a person who has resided therein for less than one year A child less than one year of age is considered as deriving residence from either (1) a parent or (2) other relative with whom he is living as hereinbefore provided in this section Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board

of Assistance as to eligibility for assistance and as to its nature and extent

(a) Dependent Children A dependent child<sup>1</sup> is defined as any needy child under the age of sixteen or under the age of eighteen if found to be regularly attending school who [(1)] has been deprived of parental support or care by reason of the death continued absence from the home or physical or mental incapacity of a parent and who is living with his father mother grandfather grandmother brother sister stepfather stepmother stepbrother stepsister uncle or aunt in a place of residence maintained by one or more of such relatives as his or their own home [and (2) has resided in this Commonwealth for one year immediately preceding the date of application for assistance or has been born in this Commonwealth within one year immediately preceding the date of such application of a mother who has resided in this Commonwealth for one year immediately preceding the birth of the child]

(b) Aged Persons An aged person is defined as one who (1) [is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine] is sixty-five years of age or more (2) [resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application except that in all cases where the state in which the applicant last had a residence makes similar provision for persons whose last residence was in this Commonwealth residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient (3)] is not at the time of receiving assistance an inmate of a public institution and [(4)] (3) has not conveyed or transferred his real or personal property of the value of five hundred dollars (\$500.00) or upwards without fair consideration within two years preceding the date of making such application

Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten-two hundredths or less normal vision (3) [has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4)] is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person [(5)] (4) is not an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be forty dollars (\$40) per month Provided That any blind person with an actual income of one thousand five hundred ninety-six dollars (\$1,596) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars (\$5,000) is not entitled to such pension And provided further That where a blind person has an income of less than one thousand five hundred ninety-six dollars (\$1,596) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed one thousand five hundred ninety-six dollars (\$1,596) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

(d) Disabled Persons A disabled person is defined as one who (1) is between the ages of eighteen and sixty-four inclusive (2) is permanently and totally disabled and (3) is not at the time of receiving assistance an inmate of a public institution



(e) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district

[(d)] (f) Other persons who are citizens of the United States and who have a settlement in Pennsylvania and all aliens who have within two years previous to the first day of January one thousand nine hundred and forty filed their declaration of intention to become a citizen and [who have a legal settlement in Pennsylvania and] need assistance to [enable them to maintain] provide for themselves and their dependents a decent and healthful standard of living and who do not require institutional care because of physical or mental infirmity

[(e) Any person within any group defined in this section who has a quasi-settlement in this Commonwealth until he is removed to his place of legal settlement]

[(f) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district]

Section 7 Section eleven of said act is hereby repealed

Section 8 Subsection (b) of section twelve of said act is hereby amended to read as follows

Section 12 Federal Contributions Restitution

\* \* \* \* \*

(b) So long as required as a condition of Federal participation [one half] of the net amount collected or recovered by way of restitution from any [aged] person or from his estate by or for the Department of Public Assistance for any assistance received to which the Federal government contributed there shall be promptly paid to the United States an amount equal to its proportionate share of the amount collected or recovered and the remainder thereof shall be paid into the State Treasury and shall be credited to the current appropriation to the Department for Public Assistance as provided by law

Section 9 Section thirteen of said act subsections (a) and (b) as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) and subsections (c) and (d) of which were added by the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 398) and another subsection (c) of which was added by the act approved the twenty-fifth day of July one thousand nine hundred forty-one (P. L. 509) is hereby further amended to read as follows

Section 13 Penalties Additional Powers of Department

(a) Any person who either prior to or at the time of or subsequent to the application for assistance by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure or aids or abets any person in securing assistance under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding [five hundred dollars (\$500.00)] one thousand dollars (\$1,000.00) or to undergo imprisonment not exceeding [six months] one (1) year or both at the discretion of the court and also shall be sentenced to make restitution of any moneys he has received by reason of any such false statement misrepresentation impersonation or fraudulent means

(b) Any person in the employ of any county board who either directly or indirectly influences or endeavors to influence the vote of any person receiving or applying for any form of assistance or pension under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred [(\$100)] dollars (\$100.00) or to undergo imprisonment not exceeding six (6) months or both at the discretion of the court

(c) The Department of Public Assistance shall have power and authority to make and enforce rules and regulations

(1) To insure the names and lists of applicants and recipients or persons applying for or receiving assistance of

any type covered by the public assistance provision of the Federal Social Security Act against improper publication

(2) To restrict the use of such information furnished other officials departments or persons to purposes connected with the administration of public assistance

(3) To afford adequate protection to the rights and interests of persons with respect to whom personal or confidential information is in its possession

(4) All such rules and regulations shall be kept on file with the department and shall be open to the public

(5) Such rules and regulations shall not prevent or interfere with investigations by the proper authorities as to the rights of individuals or groups to receive such assistance or aid or the amount of the same

(d) Any person knowingly violating any of the rules and regulations of the department made in accordance with this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars [(\$100)] (\$100.00) or to undergo imprisonment not exceeding six (6) months or both at the discretion of the court

(e) Any person who knowingly receives any assistance under this act to which he is not entitled shall upon conviction thereof in a summary proceeding be sentenced to make restitution of such assistance and to pay a fine of not more than two hundred dollars (\$200.00) and in default of making restitution and the payment of the fine imposed to undergo imprisonment not exceeding sixty (60) days

[(c)] (f) It shall be unlawful for any person directly or indirectly to promise any employment position work compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration favor or reward for any political activity or for the support of or opposition to any candidate in any election or any political party

It shall be unlawful for any person directly or indirectly to deprive attempt to deprive or threaten to deprive by any means any person of any employment position work compensation or other benefit provided for in clause (1) of section four of this act on account of race creed color or any support of or opposition to any candidate or any political party in any election

It shall be unlawful for any person administering or supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof

Any person violating the provisions of this subsection shall be immediately removed from any position or office if any held under the provisions of clause (1) of section four of this act and in addition thereto he shall be sentenced to pay a fine not to exceed one thousand dollars [(\$1,000)] (\$1,000.00) and to imprisonment not to exceed one (1) year or both

Section 10 The act approved the first day of May one thousand nine hundred forty-five (P. L. 370) entitled "An act relating to settlements abolishing settlement and residence as a factor in eligibility for receiving public assistance or liability of the Commonwealth or any political subdivision thereof for granting assistance and repealing inconsistent legislation" is hereby repealed

Section 11 All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 12 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SCHMIDT. Mr. Speaker, in the practice of my profession I find myself addressing the court now as Mr. Speaker. And now when I come on the floor it is Your



Honor, so you will pardon the dilemma in which I find myself.

I rise for the third time to debate this bill, and I am going to make it short because I will merely be repeating what I have said on two different occasions. This bill, if enacted, would be in plain language a slap in the face of the Boards back in our home counties.

As I say, we are trying to keep politics out of the relief job. The Boards which we have back in our home counties are boards made up of reputable citizens representing a cross section of the citizenry in our local communities. These Boards have served without pay and give their services to this worthy cause.

By passing this bill we will be taking out of the hands of the local board the autonomy which they have and which was expected to be given to them in the relief set-up. A bill such as this bill is, together with the bill that has been passed here in the House whereby they propose to publish the names of those relief rolls, will do more harm in our relief setup than actually doing away with or abolishing the assistance program.

I say to you, each and every one of you here today, if you have any belief at all in home rule, if it is your desire to keep our local set up back home where your people are familiar with the local problems involved, this bill should be defeated.

I ask you again to defeat this bill as it was defeated the first time it was voted upon by this Body.

Mr. PAUL F. JONES. Mr. Speaker, at the close of the session, just before we went home last week, I had an agreement with the sponsor that I would talk to certain representative people in our county in regard to House Bill 1624.

It was my understanding at that time, and as he promised on the floor, we would try to work out some sort of an agreement as to possible amendments, that might make this bill acceptable to everyone concerned.

The primary objection I raised at that time, or attempted to raise, was as to that section of the bill that gives jurisdiction to squires and justices of the peace in claims amounting to \$200 without submitting the case to the grand jury; that the squire can right then take jurisdiction and it is tantamount to saying that man, or the person involved does not have his day in court.

I submit to you in all fairness that anyone who would take \$200, a relief chisler, does not deserve too much sympathy, but in line with the thinking of the House on questions of this nature, I believe that any individual—there might be a question—has a right to have that question submitted to the grand jury, be indicted and come up to court in the regular order. That is my first objection.

It is purely imaginary as to what might happen in a situation where this provision might be used for political purposes. I can conceive of a situation where a hostile squire will say, having a certain percentage of relief recipients in his district, this particular provision could be used as a whip on a relief recipient. I believe that is a danger which we ought to safeguard.

The next question I wanted to raise was the matter of temporary assistance. In the event this bill were to pass this House, under its provisions it is my understanding that the County Boards of Assistance do not have the

authority to grant temporary relief. This means that that responsibility will have to be passed on to the local county institution districts. It is my further understanding that so far as it relates to Allegheny County, our Commissioners are not in a position to assume this additional burden.

Finally, the proponents of the bill have said that what we are trying to do here is to regulate the administration of relief on a state wide basis. That in itself is a laudable purpose—they point to a situation that occurred in Philadelphia. I submit to the Members of this House that what occurred in Philadelphia is largely confined to Philadelphia. I do not know of any other section in the Commonwealth of Pennsylvania in which we had a duplication of the thefts which have occurred in the relief center over there.

I can say and it has been said here before, that the administration of relief in Allegheny County which affects a large percentage of the people in my district has been administered fairly, has been administered honestly and we are one hundred percent satisfied with the administration under our Allegheny County Board of Assistance.

So, with these two points in mind, the question of the taking care of temporary relief, removing the authority from the local Boards to grant it, is going to impose an additional hardship on our county institution district, together with the fact that it permits squires to have jurisdiction in summary convictions involving amounts up to \$200, thus depriving the person involved of his rights to have that case submitted to the grand jury and I say all this is enough that we ought to give this bill further consideration before passing it.

Mr. LOPRESTI. Mr. Speaker, the gentleman from Allegheny County, Mr. Jones, has raised one question. I do not believe he has the same impression I have, and I do not know which is correct.

He has suggested that the justice of the peace would have jurisdiction in cases up to \$200. I do not believe that is the wording of this bill. I believe this bill provides that the justice of the peace would have jurisdiction in any case and could order restitution to be made and a fine not to exceed \$200.

That is going pretty far afield when we allow a minor judiciary to order restitution and a fine of \$200. I do not know what "restitution" could mean under relief cases, not having gone into the question very thoroughly, but it is possible that the justice of the peace would have the power to order restitution of money running into thousands of dollars and a fine of \$200 and not have at his command those processes which are necessary to get the restitution.

In other words, the court when it orders restitution has certain remedies, certain procedures whereby they can recover and make the defendant come through with the restitution, which I do not see how a justice of the peace could possibly do. I think it is clearly wrong to grant this sort of power to justices of the peace.

If the question were as suggested by Mr. Jones, I would not have much objection to the bill. Allowing the justice of the peace jurisdiction, in cases where the amount received was \$200, would not be very objectionable, but this allows restitution, the Lord knows what it might be, and a fine of \$200.



I, therefore, think when you get into things of this sort we should have grand juries, we should have criminal courts; they are misdemeanors. The proper way of handling this thing is as it has been done in years past. The minor judiciary are set up to take care of minor incidents, but in this particular bill a great many things could come up which are not minor incidents and should receive the consideration of a jury trial.

Mr. PAUL F. JONES. Mr. Speaker, would like to interrogate the sponsor on the particular question raised by the gentleman from Cambria County.

The SPEAKER. Will the gentleman from Indiana, Mr. McMillen, permit himself to be interrogated?

Mr. McMILLEN. I shall, Mr. Speaker.

Mr. PAUL F. JONES. Mr. Speaker, will the sponsor explain to us the extent of the jurisdiction of the squires and the justices of the peace on the question of summary convictions under the bill? I am confused on it, I frankly admit.

Mr. McMILLEN. Mr. Speaker, I will have to concur in the opinion held by the gentleman from Cambria, Mr. Lopresti. If the gentleman from Allegheny, Mr. Jones, will turn to the bill, on page 20, I think he will find the answer to his question.

Mr. PAUL F. JONES. Mr. Speaker, while I might, because I have the bill in my hand, straighten myself out, I do believe that the question is of such importance that all the Members of the House ought to know definitely what we are about to vote upon. So, I ask the gentleman again if he will explain this particular provision to the House.

Mr. McMILLEN. Mr. Speaker, I made the statement that I concur in the opinion held by the gentleman from Cambria, Mr. Lopresti. The bill does not limit the amount of money which a recipient or a chisler might get from the state and then go into a summary conviction.

But to go further with the thinking of the gentleman from Cambria, Mr. Speaker, the bill does provide that in case the recipient or the chisler is unable to make restitution or pay the fine, he can be subjected to a 60 day imprisonment. I think that rather generally ought to clear up the whole point.

Mr. PAUL F. JONES. Mr. Speaker, I got the impression that when you said you concur in the opinion expressed by the gentleman from Cambria, you do not necessarily imply that you agree with him.

Mr. McMILLEN. Mr. Speaker, I agree with him in this respect that there is no top limit set on the amount that the squire can hear in this case.

Mr. PAUL F. JONES. Mr. Speaker, the question I am trying to raise is this: Do you think, as sponsor of this legislation, that that much power should be granted to the justice of the peace without having it first submitted to the grand jury?

Mr. McMILLEN. Mr. Speaker, may I interrogate the gentleman from Allegheny?

The SPEAKER. Will the gentleman from Allegheny, Mr. Jones, permit himself to be interrogated?

Mr. PAUL F. JONES. Mr. Speaker, I suppose I will have to.

Mr. McMILLEN. Mr. Speaker, I should like to know, not being an attorney as the gentleman from Allegheny is, is it not true that if the recipient or the person who

is found guilty by the squire is not satisfied, he can then appeal his case?

Mr. PAUL F. JONES. Mr. Speaker, oh yes, he has a right under a summary conviction to appeal to the court. The only difference is this: we must remember first of all we are dealing with relief clients. When he gets ready to take an appeal, at that point it begins to cost him money. He must engage an attorney. He cannot go into court and appeal his case personally—he must have representation.

Just for the sake of argument, let us assume that maybe he has been falsely accused; maybe the Department cannot make out a case against him; then there is the relief clause that says he has to pay the expense of taking an appeal, and in addition to that the expense of the necessary attorney fees and I do not believe that is fair either.

Mr. McMILLEN. Mr. Speaker, in regard to that, I would say I would be somewhat in the same position if I were taken before a squire for a motor violation. I might be unjustly accused and I might have an unjust charge against me; and if I were certain that it was an unjust charge, I would certainly not hesitate to go ahead and try to find some way to clear myself and get into court to have a just hearing. I think if a man is accused of chiseling on relief, and he can prove that he has not been chiseling, it will be of enough importance for him to go on with the case.

Mr. PAUL F. JONES. Mr. Speaker, I do not believe that I can agree with the gentleman in the analogy which he draws between a relief client and a person who owns an automobile and is guilty of a motor violation. We are dealing here essentially with people, whom I take it are on relief because of no fault necessarily of their own, and we will have to agree on the premise that they are there because they cannot help themselves.

Mr. McMILLEN. Mr. Speaker, I will never agree with that statement entirely. I have a letter right here on my desk now from a citizen in the western part of Pennsylvania explaining the whole relief situation where the people have an automobile and just a day or two ago bought themselves a television set.

I can take you into my own community and show you people on relief who have television sets, automobiles. However, the fact that a man owns an automobile does not say that he cannot get assistance.

Suppose I am over taxed on federal taxes and I have paid too much and I want to get the money back that I feel is coming to me, cannot I appeal to a court? Do I not have the right to go in on that? It is the same situation. You are giving everyone an even break here.

Mr. PAUL F. JONES. Mr. Speaker, I do not know how relief is administered in Mr. McMillen's county, but I can say to you from personal experience that a person in Allegheny County who is able to maintain an automobile and owns one, is able to maintain and own real estate, if they can satisfy our requirements over there for relief, they will have to get rid of that personal property before they can go on our relief rolls. I say the fault is not so much the question he raises as to the individual, it is a question of administration. Perhaps he needs some corrections and may be the fault in the Board in his particular county charged with the administration of relief. But I repeat to you in Allegheny County—the Board over

there is composed largely of Republicans—we have had an impartial and fair administration of relief. We have had no scandals, and personally I call on this House not to disrupt the system because we are doing all right.

Mr. McMILLEN. Mr. Speaker, I would just like to quote from an article here—I picked it out of the paper one day last week—to show that people who are chiseling on this relief are not always destitute. They have resources not only of a personal nature but in many instances they have the resource of physical strength to go out and earn their own living.

Here is a man who goes to the hospital in Philadelphia with an infected foot. When they got in the hospital and started to list his personal effects in his clothing, they found he had \$466 in cash right on him. When he left the hospital he took all the \$466 with him and said, send the bill to Public Assistance I am on relief." Here is the article if anyone wants to read it.

Mr. LOPRESTI. Mr. Speaker, I rise again to take the time of this House because I feel this matter is of grave importance otherwise I would not be up here.

The gentleman from Indiana has mentioned a few isolated instances and, of course, without having all the facts we might easily be misled.

I know of a particular instance last week where a relief recipient had a television set in his house. I also know that the dealer who put the set in the house repossessed it last week because the man did not make the down payment except by giving a bad check. So it is entirely possible for someone on relief to have a television set in his house and not own it.

I know of one case where it did happen. The down payment was made with a bad check, he never made any payments and the dealer took it back after about three months. That did not indicate that he owned the set.

But the point I am trying to impress upon the Members of the House is not that we want to keep chiselers on the relief rolls. I do not believe that the gentleman from Allegheny County wants that either. We want to take them off the relief rolls, but we want to do it in an orderly manner, keeping insofar as we can all those procedures in law that have been tested by years of time, time and time again.

We have a number of Justice of Peace in the Commonwealth of Pennsylvania—quite a few of them—and if we were to give all these justices unlimited power in this sort of case, we have no way of checking up on what happens to the various cases.

The Common Pleas Court has a bureau. They have the clerk of courts. They have the Probation Bureau. They set up in a particular agency someone who is supposed to look after the collection of these restitution amounts. They have someone there who would keep a record of it.

You can go into the courthouse and you can find there exactly what so and so was supposed to return and how much he actually did return. Where and how could we arrive at any system like that among the justices of the peace? What system would we have to check on to find out whether or not a convicted recipient is making restitution or whether he is not making restitution? We have no follow up on it. It certainly is a wrong procedure.

I believe that the chiselers on the relief rolls should be punished. Restitution should be made, but it should

be done in such a manner that we know all the time how much restitution is being ordered and how much is actually being paid back. We should not allow it to be vested in the hands of people who in a great many instances are not qualified—not qualified to be judges of the facts.

I do not mean that all justices of the peace are illiterate. They are splendid people, but as a general rule they are elected from the rank and file and in a great many instances they are not able to keep proper bookkeeping records and they need a lot of supervision and I think it is wrong to extend the power under this bill as we have proposed right now.

I think the bill should be amended. We should allow a limited jurisdiction to the justices of the peace if the amount involved is, say, less than \$100; let him have jurisdiction in order not to clutter up the courts. But if it is a large amount there should be some record in a public courthouse showing what amounts have been ordered to be paid and what amounts actually have been paid.

Mr. PAUL F. JONES. Mr. Speaker, I beg the indulgence of the House to make this one final statement.

It is my humble opinion that it is a question of administration. The local boards of assistance are charged with that responsibility.

It is further my humble opinion that if we have lax administration in any county, in all of the 67 throughout the Commonwealth, the authority over those Boards in the final analysis rests in the hands of the Governor. They can be removed at will and I think that that is the crux of the whole question. We are seeking to deter people who are chiseling on the relief rolls, and the responsibility rests squarely on the shoulders of the Board. The Governor has the power to prevent that situation.

The next point I wish to make finally is that in my county the courts have not hesitated where chiselers have been involved—even if it involved the mother of children, they have taken those children from them and placed them in the juvenile detention home and sent those parents to jail. With that type of administration and with that type of enforcement from the courts, we are going to get rid of chiselers. I submit to you in all fairness that that is what we are seeking to do and within the framework of the present legislation on the books of this Commonwealth we can deal with this problem.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Schmidt, Rovanske and Lopresti.

The roll was verified and was as follows:

#### YEAS—88

Banker,	Frost,	Loftus,	Rubin,
Barkdoll,	Geer,	Lyons,	Sax,
Baumunk,	Gibson,	Madigan,	Shotwell,
Bear,	Gleason,	Markley,	Smith,
Beech,	Goodling,	McCormack,	Sollenberger,
Bloom,	Graybill,	McCullough,	Spencer,
Bolton,	Greenwood,	McInroy,	Stimmel,
Bomberger,	Greer,	McMillen,	Stoner,
Bower,	Guthrie,	Metz,	Swartz,
Brown,	Hall,	Miller, J. C.,	Tahl,
Cella,	Hamilton, W. H.,	Mintess,	Thompson, R. L.,
Clapper,	Harney,	Moore, C. E.,	Tompkins,



Clendenning,	Helm,	Moore, H. A.,	Toomey,
Cooper,	Hewitt,	Naugle,	VanSant,
Costa,	Hocker,	Pichney,	Waterhouse,
Davis,	Johnson,	Pitzer,	Weldner,
Dowling,	Jones, T. H. W.,	Price, H. W. Jr.,	Wescott,
DuBois,	Keller,	Reilly, J. M.,	Whalley,
Erb,	Kent,	Rigby,	Wilt,
Ewing,	Kratz,	Riley, R. L.,	Wood,
Ferster,	Leisey,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,

Speaker

## NAYS—86

Amarando,	Hagerty,	McDermitt,	Readinger,
Andrews,	Hamilton, R. K.,	McGee,	Reagan,
Beaver,	Hoggard,	McNally,	Reidenbach,
Berkstresser,	Hunter,	Mikula,	Rose,
Blair,	Jones, G. E.,	Miller, H. G.,	Rosen,
Brelsch,	Jones, J. M.,	Mills,	Rovansek,
Breth,	Jones, P. F.,	Monroe,	Sarra,
Bucchin,	Jump,	Moran,	Schmidt,
Byrne,	Kamyk,	Muldowney,	Seyler,
Conway,	Kline,	Munley,	Snider,
Corr,	Kohl,	Musto,	Stank,
Coyle,	Kolankiewicz,	Najaka,	Taylor,
Dalrymple,	Kornick,	Needham,	Toll,
Dougherty,	Kubacki,	Olsen,	Varallo,
Duffy,	Lederer,	Penglase,	Wachhaus,
Dunn,	Leonard, L.,	Peta,	Wargo,
Fenrich,	Leven,	Petrosky,	Watkins,
Fillip,	Limper,	Pettigrew,	Welsh,
Filo,	Lopresti,	Pfaff,	Westrick,
Gaffney,	Lovett,	Polaski,	Wheeler,
Guarnieri,	Lutty,	Price, R. A.,	Yetzer,
Gutendorf,	Maxwell,		

## NOT VOTING—31

Boles,	Jenkins,	Murray,	Thompson, E. F.,
Cochran,	Lafore,	Polen,	Varner,
Dennison,	Leonard, W. C.,	Reese,	Verona,
Flack,	Madden,	Scanlon,	White,
Good,	Mazza,	Schuster,	Williams,
Haudenschild,	McConnell,	Scott,	Yeakel,
Headlee,	McKinney,	Shoemaker,	Young,
Hersch,	Mihm,	Swope,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 609, as follows:

An Act to further amend Sections 10 and 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisance removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer

rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of assembly" as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 470) is hereby further amended to read as follows

Section 10 Said claim shall set forth

1 The name of the municipality by which filed

2 The name of the owner of the property against which it is filed

3 A description of the property against which it is filed

4 The authority under or by virtue of which the tax was levied or the work was done

5 The time for which the tax was levied or the date on which the work was completed in front of the particular property against which the claim is filed or the date of completion of the improvement where the assessment is made after completion or the date of confirmation by the court where confirmation is required done

6 If filed to the use of a contractor the date of and parties to the contract for doing said work and

7 In other than tax claims the kind and character of the work done for which the claim is filed and if the work be such as to require previous notice to the owner to do it when and how such notice was given

Said claim shall be signed by or have stamped thereon a facsimile signature of the solicitor or chief executive officer of the claimant or the chief of its delinquent tax bureau except that in counties of the second class said claim or claims for county taxes levies or assessments shall be signed by or have stamped thereon a facsimile signature of the county controller and in the case of a use-plaintiff must be accompanied by an affidavit that the facts therein set forth are true to the best of his knowledge information and belief

Section 2 Section 15 of said act as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 470) and by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1494) is hereby further amended to read as follows

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided That either a suggestion of nonpayment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment on the scire facias and in cases of other than tax claims after judgment on the scire facias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of nonpayment and default was filed thereon or (a) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now .....the claimant by..... [his] its solicitor or by the chief of its delinquent tax bureau or in counties of the second class by the county controller suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for nonpayment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment shall be signed by or



have stamped thereon a facsimile signature of the solicitor or chief executive office of the claimant or the chief of its delinquent tax bureau except in counties of the second class in which case it shall be signed by or have stamped thereon a facsimile signature of the county controller. The prothonotary shall docket and index the suggestion and averments directed therein and for such services in all counties of the fifth class and the political subdivisions in such counties shall be entitled to a fee of one dollar and in all other classes of counties and the political subdivisions thereof he shall receive the following fee to be taxed and collected as other costs in the claim.

Where suggestion and averment is for taxes or municipal claims for one year and is directed to be indexed in one name only .....one dollars (\$1)  
Each additional year included .....one dollar (\$1)  
Each additional name included .....twenty-five cents (\$.25)

The filing and indexing of such suggestion and averment within five years of filing the claims or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment of default shall have the same force and effect for the purposes of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period. Provided That no writ of levavi facias shall be issued upon a claim for the purpose of exposing the property lien to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levavi facias. Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject in the right of the owner to raise any defense arising since the last judgment.

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost.

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

#### YEAS—204

Amarando,	Graybill,	McConnell,	Rovansek.
Andrews,	Greenwood,	Maxwell,	Royer.
Banker,	Greer,	Mazza,	Rubin.
Barkdoll,	Guarnieri,	McCormack,	Sarraf.
Baumunk,	Gutendorf,	McCullough,	Sax.
Bear,	Guthrie,	McDermitt,	Scanlon.
Beaver,	Hagerty,	McGee,	Schmidt.
Beech,	Hall,	McInroy,	Schuster.
Berkstesser,	Hamilton, R. K.,	McKinney,	Scott.
Blair,	Hamilton, W. H.,	McMillen,	Seyler.
Bloom,	Harney,	McNally,	Shoemaker.
Boles,	Haudenshield,	Metz,	Shotwell.
Bolton,	Headlee,	Mihm,	Smith.
Bomberger,	Helm,	Mikula,	Snider.
Bower,	Hersch,	Miller, H. G.,	Sollenberger.
Brelsch,	Hewitt,	Miller, J. C.,	Spencer.
Breth,	Hocker,	Mills,	Stank.
Brown,	Hoggard,	Mintess,	Stimmel.
Bucchin,	Hunter,	Monroe,	Stoner.
Byrne,	Jenkins,	Moore, C. E.,	Swartz.
Cella,	Johnson,	Moore, H. A.,	Swope.
Clapper,	Jones, G. E.,	Moran,	Tahl.
Clendenning,	Jones, J. M.,	Muldowney,	Taylor.

Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglass,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Price, H. W. Jr.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg.
Good,	Markley,	Rosen,	Speaker
Goodling,			

NAYS—0

NOT VOTING—1

Varner.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection

House Bill No. 617, Printer's No. 1121 was passed over at the request of the SPEAKER.

#### COMMITTEE GRANTED PERMISSION TO MEET DURING SESSION

Mr. ROYER asked and obtained permission for the Committee on Highways to meet during the session of the House.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1125, as follows:

An Act to amend Section 1189 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the maximum penalty on teachers failing to attend meetings called by the county superintendent.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1189 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1189 Penalty on Teachers Failing to Attend Each teacher who shall not attend a meeting of teachers called by a county superintendent as herein provided shall



forfeit to the school district employing him a sum equal to that which he would have received for attendance at such meeting The board of school directors of the district by which he is employed shall deduct this sum from his salary for the month next following the date of such meeting unless satisfactory reason for such absence is given to the superintendent holding such institute Such forfeiture shall not exceed for any one year the sum of [four dollars (\$4)] ten dollars (\$10) per teacher

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—124

Amarando,	Ferster,	Leonard, W. C.,	Riley, R. L.,
Andrews,	Firmstone,	Leven,	Robertson,
Banker,	Flack,	Light,	Royer,
Barkdoll,	Frost,	Loftus,	Rubin,
Baumunk,	Geer,	Lyons,	Sax,
Bear,	Gibson,	Madden,	Shotwell,
Beech,	Gleason,	Madigan,	Smith,
Blair,	Good,	Markley,	Sollenberger,
Bloom,	Goodling,	McCormack,	Spencer,
Bolton,	Graybill,	McCullough,	Stimmel,
Bomberger,	Greenwood,	McInroy,	Stoner,
Bower,	Greer,	McKinney,	Swartz,
Breisch,	Gutendorf,	McMillen,	Tahl,
Breth,	Guthrie,	Metz,	Thompson, E. F.,
Brown,	Hall,	Miller, H. G.,	Thompson, R. L.,
Cella,	Hamilton, W. H.,	Miller, J. C.,	Tompkins,
Clapper,	Harney,	Mintess,	Toomey,
Clendenning,	Haudenschild,	Moore, C. E.,	VanSant,
Conway,	Helm,	Moore, H. A.,	Wachhaus,
Cooper,	Hewitt,	Muldowney,	Waterhouse,
Costa,	Hocker,	Murray,	Watkins,
Coyle,	Johnson,	Naugle,	Weidner,
Dalrymple,	Jones, J. M.,	Peta,	Wescott,
Davis,	Jones, T. H. W.,	Pichney,	Whalley,
Dennison,	Jump,	Pitzer,	White,
Dowling,	Keller,	Price, H. W. Jr.,	Wilt,
DuBois,	Kent,	Readinger,	Wood,
Dunn,	Kline,	Reagan,	Yeakel,
Erb,	Kratz,	Reidenbach,	Young,
Ewing,	Lafore,	Reilly, J. M.,	Ziegler,
Fenrich,	Lelsey,	Rigby,	Sorg,

Speaker

## NAYS—54

Beaver,	Kornick,	Mills,	Rovansek,
Berkstresser,	Kubacki,	Monroe,	Sarrat,
Buchin,	Lederer,	Moran,	Seyler,
Byrne,	Leonard, L.,	Munley,	Snider,
Corr,	Limper,	Musto,	Stank,
Filip,	Lopresti,	Najaka,	Taylor,
Filo,	Lovett,	Needham,	Toll,
Gaffney,	Lutty,	Olsen,	Varallo,
Hamilton, R. K.,	Maxwell,	Penglase,	Wargo,
Hoggard,	McDermitt,	Pettigrew,	Welsh,
Jones, G. E.,	McGee,	Pfaff,	Westrick,
Kamyk,	McNally,	Polaski,	Wheeler,
Kohl,	Mihm,	Rosen,	Yetzer,
Kolankiewicz,	Mikula,		

## NOT VOTING—27

Boles,	Hersch,	Polen,	Scott,
Cochran,	Hunter,	Price, R. A.,	Shoemaker,
Dougherty,	Jenkins,	Reese,	Swope,
Duffy,	Jones, P. F.,	Rose,	Varner,
Guarnieri,	Mazza,	Scanlon,	Verona,
Hagerty,	McConnell,	Schmidt,	Williams,
Headlee,	Petrosky,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 188, as follows:

An Act to amend Section 1 and the fourth paragraph of Section 2 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the number of judges of the Municipal Court of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" is hereby amended to read as follows

Section 1 Be it enacted &c That in the county of Philadelphia there shall be and hereby is created a court of record to be known as the Municipal Court of Philadelphia It shall consist of a president judge and [one associate judge for each two hundred thousand of population or fractional part thereof in excess of one hundred thousand in such county such population to be determined from time to time by the latest census of the United States] thirteen associate judges

Section 2 The fourth paragraph of Section 2 of said act as amended by the act approved the twenty-fifth day of May one thousand nine hundred twenty-one (P. L. 1161) is hereby further amended to read as follows

Section 2  
\* \* \* \* \*

In the event of a vacancy in the office of judge [or when by reason of a New United States census more judges are to be chosen] the Governor shall appoint judges to hold office until the first Monday of January succeeding the next municipal election at which election the vacancies shall be filled [and the additional judges caused by such increase in population shall be elected to the full term of ten years from the first Monday of January next following such election]

Section 3 The Governor shall appoint three persons learned in the law and otherwise legally qualified and commission them as associate judges of Municipal Court of Philadelphia to serve until the first Monday of January of the year following the next municipal election the primary for which occurs at least sixty days after the effective date of this act at which election successors to the judges so appointed shall be elected by the duly qualified electors of Philadelphia County

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TOLL asked and obtained unanimous consent to add additional sponsors to amendments to be introduced by him.

Messrs. TOLL, GUARNIERI and ROSE asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page two, line fourteen, by deleting

the word 'thirteen' and substituting the word 'twelve' therefor.

Amend Section 3, page three, line eighteen, by deleting the word 'three' and substituting the word 'two' therefor.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. TOLL. Mr. Speaker, in connection with the amendments which I have offered, I call your attention to Senate Bill 188, which on page 2, line 11, deletes four of the lines which relate to the method of increasing Judges of the Municipal Court of Philadelphia which have been in the law since 1913. When the Municipal Court was created in Philadelphia in 1913 the method of increasing the number of Judges was specified in the law. Now for the first time this method is deleted.

The old method of increasing the Judges of the Municipal Court was—as referred to in the bill—that there shall be one Municipal Court Judge for every two hundred thousand population. This is now being deleted and, without justifying the number of Judges in relation to the population of Philadelphia, the bill merely increased the number of Judges from the present number of eleven to originally fourteen, and then in Committee it was reduced to thirteen. My amendments propose to reduce the number of Judges to twelve.

I call your attention to the fact that the population has not increased sufficiently in Philadelphia to justify three additional Judges in the Municipal Court.

I want to read to you an editorial published by the Evening Bulletin in connection with this population problem. By the way, the population method of increasing Judges in the various counties has been set forth in the Constitution, as for instance earlier in the session you increased the Judges of Beaver County by adding an Orphans Court Judge when Beaver County arrived at a population of one hundred and seventy-five thousand.

This editorial was published in the Evening Bulletin on June 19th. It is entitled

"More and More Judges." The 1910 census gave Philadelphia a million and a half inhabitants. At that time the City had fifteen Common Pleas Judges.

In 1913 to relieve the burden on the Common Pleas Judges, the Legislature set up a Municipal Court, with a President Judge and eight associate Judges. Later two more associates were added to the Municipal Court, and two new Courts of Common Pleas were established, each with three Judges.

Now there is a proposal in the Legislature to add, at that time, four more Associate Judges to Municipal Court.

Which have been cut down in committee to three.

With a little elementary arithmetic you can figure out that between 1910 and 1950 the city's population increased by about a third, but if the pending Municipal Court Bill is enacted the number of Common Pleas and Municipal Court Judges will be increased from 15 to 36.

Of course by cutting it down in the Committee to three, it will be from fifteen to thirty-five. In that same period of time there was an increase of twenty Judges.

You can't measure the number of Judges needed

by the size of the population; but an increase of 140 percent in the Judges while the population goes up only thirty-three and one-third certainly puts the burden of proof on those who want to increase the number of Judges.

President Judge Boyle of the Municipal Court is questioning the need for four additional Judges and he will also question the need for three additional Judges. He surely knows more about the Court's needs than those who are advocating the increase.

This measure was the subject of a public hearing or rather a semi-public hearing—or let me put it this way, of a partial hearing before the Committee and several of the officials of Philadelphia including Judge Boyle were called before the Committee, as a result of which the President Judge wrote a letter to the Chairman of the Judiciary Committee. I have a copy of that letter dated August 17th and I want to read it to you.

To the Honorable John H. McKinney.

Dear Mr. McKinney:

You were quoted in the daily press this week as having stated that you favored a middle ground between the four Judges proposed in the Senate Bill introduced by Senator John R. Meade (Republican, Philadelphia), and the two which the writer as President Judge of the Municipal Court insisted are all that are necessary.

I respectfully reiterate my position as stated in the Committee meeting, that two Judges are all that are necessary.

I take the liberty of reminding you that the Philadelphia Bar Association Committee which made a painstaking study of the needs of the Court, submitted its report to you stating that two Judges are all that are needed.

This question is not one that should be determined upon the basis of compromise but upon the basis of ascertained facts such as presented to you by the President Judge (who is aware of the full needs of the Court), and by the Philadelphia Bar Association.

I submit that any legislation providing for the appointment of more than two Judges would not be in the interest of the taxpaying public of Philadelphia and Pennsylvania.

Yours very truly,

John A. Boyle, President Judge.

Now, any member of the Philadelphia Bar Association, which is not a body that is devoted to the problem of drang—a bar association is a lawyer's group, formerly called the Law Association of Philadelphia. There are twenty-five attorneys in this House, and I believe all of them are members of one Bar Association or another. The Bar Associations are lawyers who practice before the courts. They know what the duties of the Courts are, and they know whether the courts are overcrowded or not, and about how many Judges would make a fair situation as far as the Courts are concerned.

I have here a copy of the Bar Association report which is fifteen pages long. I am not going to read all fifteen pages to you but I have extracted ten paragraphs which I would like to read to you showing the opinion of the judges and the lawyers of Philadelphia regarding the need for two or three judges as far as the Municipal Court is concerned. The conclusion is that only two are needed.

Now, let me state that this is addressed to the Chancellor and the Board of Governors of the Philadelphia Bar Association.



At the request of the President Judge of the Municipal Court of Philadelphia the Chancellor appointed the undersigned committee to conduct an inquiry as to the need, if any, for additional Judges in the Municipal Court of Philadelphia County, and if so, the number which in the opinion of the committee would be required, and directed the committee to make a report and recommendation.

The request of the President Judge was contained in a letter to the Chancellor, which stated that Senate Bill 188, providing for the appointment of four additional judges to the Bench of the Municipal Court, (since amended to three) has been referred to the Judiciary Committee of the House of Representatives at Harrisburg; that in the judgment of the President Judge an increase of four judges was unnecessary (as a matter of fact he objects to three judges) but that the business of the Court had greatly increased and that a study should be made by a committee appointed by the Chancellor from the membership of the Philadelphia Bar Association to determine the needs of the Court in this respect.

The committee conferred with the President Judge of the Municipal Court on a number of occasions and examined voluminous records and data furnished by him; extended to the Associate Judges of the Court an opportunity to express their individual views on the merits of the bill and its related problems; conferred with Senator John R. Meade and Edward W. Furia, Clerk of the Court, and with other persons who, over a period of years, have had considerable experience in observing the functioning of the court.

We requested Honorable John H. McKinney, Chairman of the Judiciary Committee, House of Representatives, in view of the appointment of this committee and the study which it has undertaken, to retain the bill pending in the legislature in committee and not to report it out until such times as this committee is able to complete its study and present its report.

Now bear this in mind; this next paragraph refers to the effort that the committee made to get an expression of opinion from the Associate Judges.

As heretofore stated, the Associate Judges of the Court were afforded an opportunity to express their individual views on the merits of the bill pending in the State Legislature. One Judge advised us that he is aware of the material increase of business in the Court in recent years; that additional judges are required, but that he is not prepared to state the number of additional judges that are needed in view of the fact that he has not made a study of the statistics of the Court, being continually engaged in the duties assigned him by the President Judge. Another Judge likewise does not express an opinion but referred the committee to data appearing in the published reports of the Court. Two Judges stated that the President Judge is in a better position than anyone else to determine the judicial needs of the court. We are aware that one Judge believes that a minimum of four additional judges is required. The newest member of the Court, because of his recent elevation to the Bench and continuous service in the juvenile division, does not feel that he can express an opinion concerning the merits of the pending bill.

The President Judge of the Court and its administrative head, with over-all supervision of its business and with a complete perspective, is of the opinion that two additional judges are required. The views of the Associate Judges who communicated with us have been hereinbefore commented upon. The author of the bill in the Senate, Senator John R. Meade, believes that five or six additional judges are required. Mr. Furia, the Clerk of the Court, while convinced of the need for additional judges, is not prepared to state the number required.

The business of the Court in the four year period appears to present an increase of about 15%. In view of this, there would not appear to be a need for an increase in the judicial personnel of approximately 40% as proposed by the bill pending in the legislature. An increase in the judicial personnel would require a large increase in the general personnel. We have made inquiry and are informed that at the present time sufficient space is not available in City Hall or in the separate building of the Municipal Court to house such an increase.

The need for additional judges in a court of record is dependent not only on the volume and nature of its business but generally also on the speed, efficiency and competency of its judges and personnel. While we recognize the latter factors are important and should be considered in an appraisal of a court's needs, we must also recognize that Judges in this Court, as everywhere, are composed of men of varying temperaments and abilities and of varying funds of knowledge.

The scope of our duties clearly does not include an evaluation of the Court; it is rather our duty to determine whether the Court as it now functions, and without additional personnel, is able to deal adequately with the volume of work presently coming before it. We must give considerable weight to the conclusion of the President Judge that the Court requires two additional judges in order to perform its functions without undue delay. It is very clear to us that there is no need for four additional judges. We believe that the present volume of business in the Court could be handled with expedition and dispatch by the appointment of two additional judges.

We therefore recommend that two additional judges be appointed to the Bench of the Municipal Court of Philadelphia.

Respectfully Submitted,

Abraham L. Freedman,  
Earl G. Harrison,  
Bryan A. Hermes, Chairman.

Now let me add this final word. The Judges of the Municipal Court of Philadelphia are paid by State funds. If you increase the Judges of the Municipal Court of Philadelphia from two to three you are putting yourself in a position where you are asking your constituents in your towns and your boroughs to pay for a Judge for the next ten years, to pay his salary with your taxpayers money for a city that does not need three Judges and does not want three Judges.

Let me repeat, in case there are any here that have not heard this. Those of you who will vote for this bill as constituted for three Judges are asking the people in your borough and in your town to pay for a Judge for Philadelphia who is not wanted and not needed, to pay his salary for a period of ten years, when the City of Philadelphia does not want the Judge and does not need the Judge, and is not entitled to it according to the provisions of the old bill, and does not want it in accordance with the recommendations of the lawyers of the City.

In addition to that the City taxpayers of Philadelphia have to pay for new quarters, tipstaves, secretaries, stenographers and the equipment which goes into a Court room to house such a Judge.

The budget of Philadelphia for the present Municipal Court is nearly a million and a half. If you add three more Judges you are adding twenty-five percent to the amount of the bill, which is another \$350 thousand. Just think what you are doing to the City when you saddle it



with an expense of that nature. Suppose that happened in your county. Suppose that happened in your city. I respectfully submit that before you saddle your taxpayers with the burden of paying for an extra Philadelphia Judge, not wanted, you should think very carefully. I hope you will vote for the amendments giving us two Judges instead of three.

Mr. TOMPKINS. Mr. Speaker, this bill in its original form was based upon a population basis to determine the number of Judges. However, as we have it before us it changes the bill from a population basis to a work basis. We believe the work basis is the fair basis upon which to determine such an issue as we now have before us.

In that connection I want to call the attention of the Members to certain information on this matter. When this issue was up, Judge Boyle was before the Judiciary Committee and at that time he was recommending two. One of the members of his own Court was there and he said that not even four Judges were enough to handle the work that was before the Court.

Referring to the same Bar Association report that the gentleman from Philadelphia has mentioned, I want to call your attention to this fact. In 1947 the Municipal Court of Philadelphia handled 49,917 cases. In 1950, the latest figures available, they handled 57,684 cases, an increase of about 8,000 cases. Of these 8,000 additional cases they handled during the year of 1950, over the year 1947, 28,807 of them were hearings in court.

Let us break some of this information down. There are approximately 60,000 cases that the Municipal Court of Philadelphia handles annually. That means on a basis of ten Judges which are now in there, each Judge is assigned on an average of 6,000 cases a year to handle. Do you think any one man can properly handle 6,000 cases in one year and handle them properly and handle them judiciously?

Let me read from correspondence of certain of the members of that particular Court.

The volume of work in the Municipal Court has increased from year to year, since long before I became a judge of this Court, but the judges have remained the same in number. I have been able to observe the effect of this during the nine years that I have been a judge of the court. I have examined all of my personal lists in this court during that time and I can assure you that these lists disclose a continual increase in the volume of work assigned to me, and I know that other judges of our court have had the same experience. I conscientiously believe that we need judicial help in the court and I assure you that the volume of work and the responsibilities would warrant an increase in the number of judges. Many of us are kept busy continuously with the court's work with little opportunity for rest or relaxation.

Another of the Judges of that same Court states:

Personally, I have been working every day in Juvenile Court and the other Judges are working every day in their respective assignment. It is my understanding that the Municipal Court takes no vacation whatsoever in the Juvenile and Domestic Relations Divisions.

I am in agreement with the other members of this Court that there should be an increase in the number of Judges so that at least some of them can do office work in the way of writing opinions and actually trying cases.

Another Judge gives this information:

In eleven years of my activity on the bench I have done the following work:

Domestic Relations & Custody Hearings	6847
Civil Court Trials	503
Criminal Court Trials	2557
Adoptions	2125
Motions and Rules and Compromises	532
Juvenile Court Hearings	6534
Preliminary Hearings in Bastardy Cases	2179
Attachment Hearings in Bastardy Cases	1334
County Commissioner Lists (Dependency cases)	1261
Misdemeanors Hearings (Morals Court)	509

In this list are not included appeals to the Superior Court, pre-trial conferences, preliminary adoption conferences, hearings and motions for new trials, and conferences preliminary to the allowance of motions and rules. This brief resume does not include cases on which I have worked in collaboration with other judges; and I am not including those because I am submitting to you in this resume only those official obligations which were exclusively mine alone.

That is a fair cross section of the opinion of the members of that particular Court. In speaking of the issue which the gentleman last raised, let me point this out to you.

The report of the Bar Association states that through its physical facilities and manpower organizations from 1914 to 1947, they only cover up to that point, the Court had dealt with 1,635,245 cases of various kinds. During the same period the Court has collected over fifty-six millions of dollars of support orders which otherwise would have been a burden upon your relief rolls, had they not been taken care of.

I submit to you that the expenses of additional Judges come nowhere near that amount which has been saved by the work of that Court.

I wish to point this out to you. The increase in the amount of the work of the Court from 1947 to 1950 was 60 per cent. But shortly after the present President Judge became President Judge on October 23, 1949, he himself makes this statement which is taken from the Philadelphia Bulletin of October 23, 1949. This is a statement by Judge Boyle.

Three more judges are needed to handle the business of Municipal Court because of the great increase in its functions, President Judge John A. Boyle said yesterday.

The present staff of 11 is hardly sufficient to take care of the court's needs and it is becoming increasingly necessary that its bench be enlarged as soon as possible," Judge Boyle added.

"All of our judges have been working overtime," he said, "particularly in the social service division. However he pointed out that "nothing can be done at the present time to increase our staff.

Judge Boyle said that the number of jurists assigned to Municipal Court is regulated by the Legislature on the basis of population. He promised, however, that he would ask for three additional judges at the next legislative session if the population increase here does not warrant that number.

Judge Boyle at the same time released a report of the court's activities during the past year.

The report showed that all of its six divisions had handled a much larger volume of cases than in the pre year.

The domestic relations division had contact with approximately 16,000 families with 13,213 cases resulting in court hearings.



"Compared with the average of the war years, the number of support orders in 1948 shows an increase of 48 percent," the report said.

A total of \$3,355,799 was received and disbursed by this division in support orders, an alltime high since the creation of the court in 1914.

The court showed a more strict policy in such cases by imposing jail sentences on 1,087 persons for non-payment. By comparison, there were only 237 commitments in 1946.

The juvenile division disposed of 16,494 cases compared with 15,707 the previous year.

The criminal division disposed of 1851 bills of indictment while the civil division handled 10,746 suits.

I finally want to call your attention to this: The Municipal Court in Philadelphia at the present time is five to eight months behind on its juvenile domestic relation list. It is fifteen to eighteen months behind on its civil list and it is five to six months behind on its criminal list.

We say to you Members of the ouse, that three additional Judges are required to handle the work in the City of Philadelphia and the result of the three additional Judges will reflect itself in collections far, far greater than the amount it will cost us to maintain three additional Judges.

Mr. GUARNIERI. Mr. Speaker, it is unfair to delay the Members of the House and try to discuss and debate at this time of the day, at this time of the year, when hearts are more cheery and merry, thinking of Christmas.

There's one thing I want to say in regard to the amendments proposed by Mr. Toll in which I concur of course as the joint sponsor. The purpose of the amendments is to limit the number of judges, additional judges, to two, instead of three as proposed in the bill which is now before us for consideration.

I will say this. There is no magic number; numbers don't mean much to us on the floor of the House, nor do the statistics which have been read to us by the various Members here. If there is need for legislation, we ask what need is there to satisfy? And let's look at the evidence. I say to every man and lady here that the best piece of evidence we have on which to base legislation at this time is the report made by an impartial body, the Philadelphia Bar Association, which recommends two judges. I don't know how many judges are required. My opinion may be one thing, the opinion of another many may be another thing. The various members of the court differ as to how many additional judges may be needed.

However, the Bar Association Committee made a study impartially and said: "We believe that two additional justices are required".

That is the only bit of disinterested impartial evidence that we have before us. What a judge may have said at one time or what Mr. Tompkins, my colleague on the other side, may have quoted another judge as having said that we need more additional judges is not important. I am sure that the sponsor of this bill, Mr. Meade, with due deference to the gentleman's integrity and intelligence, perhaps himself hasn't made such a study as to know what numbers are required.

And so my learned colleague on the other side of the House himself has not made a study. To every Member here there is one piece of disinterested evidence, the Philadelphia Bar Association, and that body impartially is the best evidence of what is needed in Philadelphia,

and we are going on that basis alone. Therefore, I ask you to concur in the amendments that Mr. Toll and I have proposed.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the nays appear to have it.

Whereupon, a division was called for, 58 Members voting in the affirmative and 108 in the negative the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Toll, Guarnieri and Robert K. Hamilton.

The roll was verified and was as follows:

#### YEAS—108

Andrews,	Flack,	Light,	Riley, R. L.,
Banker,	Frost,	Loftus,	Robertson,
Barkdoll,	Geer,	Lovett,	Royer,
Baumunk,	Gibson,	Lyons,	Rubin,
Beer,	Goodling,	Madden,	Sax,
Beech,	Graybill,	Madigan,	Shotwell,
Blair,	Greenwood,	Markley,	Smith,
Bloom,	Greer,	Mazza,	Sollenberger,
Bolton,	Gutendorf,	McConnell,	Spencer,
Bomberger,	Guthrie,	McCormack,	Stimmel,
Bower,	Hall,	McCullough,	Stoner,
Breisch,	Hamilton, W. H.,	McInroy,	Tahl,
Brown,	Harney,	McMillen,	Thompson, E. F.,
Cella,	Haudenschild,	Mikula,	Thompson, R. L.,
Clapper,	Helm,	Miller, H. G.,	Tompkins,
Clendenning,	Hewitt,	Miller, J. C.,	Toomey,
Cooper,	Hocker,	Mintess,	VanSant,
Costa,	Johnson,	Moore, C. E.,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Moore, H. A.,	Waterhouse,
Davis,	Jump,	Murray,	Watkins,
Dennison,	Keller,	Najaka,	Weldner,
Dowling,	Kent,	Pichney,	Wescott,
Dunn,	Kline,	Pitzer,	Wilt,
Erb,	Kohl,	Price, H. W. Jr.,	Wood,
Ewing,	Kratz,	Reagan,	Yeakel,
Ferster,	Lafore,	Reilly, J. M.,	Ziegler,
Firmstone,	Lelsey,	Rigby,	Sorg,

Speaker

#### NAYS—68

Amarando,	Hagerty,	Maxwell,	Pettigrew,
Beaver,	Hamilton, R. K.,	McDermitt,	Pfaff,
Berkstresser,	Hoggard,	McGee,	Polaski,
Breth,	Hunter,	McNally,	Price, R. A.,
Bucchin,	Jenkins,	Metz,	Rovansek,
Byrne,	Jones, G. E.,	Mills,	Sarra,
Conway,	Jones, J. M.,	Monroe,	Seyler,
Corr,	Jones, P. F.,	Moran,	Snider,
Coyle,	Kamyk,	Muldowney,	Swartz,
Dougherty,	Kolankiewicz,	Munley,	Taylor,
DuBois,	Kornick,	Musto,	Toll,
Fenrich,	Kubacki,	Naugle,	Varallo,
Fillip,	Lederer,	Needham,	Wargo,
Filo,	Leonard, L.,	Olsen,	Welsh,
Gaffney,	Leven,	Penglase,	Westrick,
Gleason,	Limper,	Peta,	Whalley,
Guarnieri,	Lopresti,	Petrosky,	Yetzer,

#### NOT VOTING—29

Boies,	Lutty,	Rose,	Stank,
Cochran,	McKinney,	Rosen,	Swope,
Duffy,	Mihm,	Scanlon,	Varner,
Good,	Polen,	Schmidt,	Verona,
Headlee,	Readinger,	Schuster,	Wheeler,
Hersch,	Reese,	Scott,	White,
Leonard, W. C.,	Reidenbach,	Shoemaker,	Williams,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1731, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertaking and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" providing further conditions upon the issuance of injunctions in labor disputes

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 16, page 7, line 12, by deleting the words "ninety (90)" and inserting instead the words "thirty (30)".

Amend Section 16, page 7, line 18, by deleting the words "ninety (90)" and inserting instead the words "thirty (30)".

Amend Section 16, page 7, line 19, by deleting the words "ninety (90)" and inserting instead the words "thirty (30)".

Amend Section 16, page 8, line 6, by deleting the words "one hundred eighty (180)" and inserting instead the words "sixty (60)".

Amend Section 16, page 8, lines 8 and 9, by deleting the words "one hundred eighty (180)" and inserting instead the words "sixty (60)".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. KENT. Mr. Speaker, will the gentleman please submit to us a copy of the amendments?

Mr. PETROSKY. Mr. Speaker, I am very sorry. I assumed that I had given the gentleman a copy of the amendments approximately three months ago, at which time the bill first appeared on the calendar. But evidently he has forgotten them, I suppose.

However, Mr. Speaker, I am in accord with the principles behind the bill as sponsored by my good friend, Mr. Kent. However, incorporated within the amendment to the particular act we are working on, on temporary

injunctions and temporary restraining orders, the gentleman has fixed a time not to exceed ninety days from the date of the issue of the temporary injunction or temporary restraining order upon which this order may be acted upon by the courts.

The amendments which I have offered merely break the time element down to one-third of the time allotted in this particular bill, or thirty days, and further allowing thirty days in the event that the case is not terminated in its due process by the courts.

It further amends on page 8, line 6, by striking out 180 days on the permanent injunction, or whatever is issued on the findings of facts on the subsequent hearing, a 180 day permanent injunction that can be extended another 180 days.

We agree with setting up a time in the matter of temporary restraining orders and temporary injunctions. However, we feel that we should legislate into the statutes a shorter amount of time in which cases should be disposed of by the courts, rather than having them drawn out into such a period of time which would in effect amount to a six month period under the provisions of the gentleman's bill, whereby we could cut that down to a two month period. Then the participating parties in an injunction would in two months know just where they stood on the issue at hand.

Further, may I say that we are in agreement with the thought behind the bill but we feel that the time element ought to be cut down. And in cutting down this time element, possibly it will be a good way for many of these judges to get to work on these cases and will not necessitate additional fights before the House here is asking for additional judges in various counties throughout the Commonwealth.

However, I should say we in the Legislature should not hold the Judges as being remiss upon this matter of delay in handling cases in court, because here we are, Christmas time and still in session.

Mr. KENT. Mr. Speaker, I am glad to know that the gentleman agrees with the thought behind the bill. However, having had some experience with the courts and how they operate and the business which they have to transact, if these amendments were adopted the whole purpose behind this bill would be completely lost because, in my opinion—and I think I know—the great percentage of courts in this state would not be able to meet the requirements of the bill as amended. They simply could not act upon the injunction proceeding and enter a final order and opinion within thirty days for which this bill provides. It is not unusual to give the courts ninety days to hear the issues involved in any kind of dispute, including labor disputes.

I, therefore, ask the House to vote down these amendments.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KENT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:



Amend Sec. 1, page 3, line 3, by striking out "procedure" and inserting in lieu thereof "procedure".

Amend Sec. 1 (Sec. 4), page 4, line 2, by striking out "violation" and inserting in lieu thereof "violation".

Amend Sec. 1 (Sec. 4) page 4, line 10, by striking out "employes" and inserting in lieu thereof "employees".

Amend Sec. 1 (Sec. 4), page 5, line 3, by striking out "aggrieved" and inserting in lieu thereof "aggrieved".

Amend Sec. 1 (Sec. 4), page 5, line 8, by striking out "the" where it appears the second time.

Amend Sec. 2 (Sec. 16), page 7, line 2, by striking out "or" where it appears the second time and inserting in lieu thereof "of".

Amend Sec. 2 (Sec. 16), page 7, line 7, by striking out "a".

Amend Sec. 2 (Sec. 16), page 7, line 6 by striking out "Court" and inserting in lieu thereof "court".

Amend Sec. 2 (Sec. 16), page 8, line 5, by inserting after the word "case" the following "involving or".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? It there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 765, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for co-operation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing the definition of wages as to the rights and obligations of employers and employees where a successor-in-interest has acquired assets of a predecessor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (1) of Clause (x) of section 4 of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by

the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1738) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act have the following meanings unless the context clearly requires otherwise

\* \* \* \* \*

(x) "Wages" means all remuneration (including the cash value of mediums of payment other than cash) paid by an employer to an individual with respect to his employment except that the term "wages" shall not include

(1) The part of the remuneration which is in excess of the first three thousand dollars (\$3,000) paid to an individual by each of his employers during a calendar year subsection for remuneration which he has paid to an individual in the same calendar year on which contributions have been required and paid by such employer under an unemployment compensation law of another state but no such credit may be taken for remuneration which has been paid by another employer to such individual whether or not contributions have been paid thereon by such other employer under this act or under any state unemployment compensation law If an employer (hereinafter referred to as successor employer) during any calendar year a predecessor) or used in a separate unit of a trade or business of another employer (hereinafter referred to as a predecessor) or used in a separate unit of a trade or business of a predecessor and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor) then for the purpose of determining whether the successor employer has paid remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment equal to three thousand dollars (\$3,000) to such individual during such calendar year any remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment paid (or considered under this paragraph as having been paid) to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer Remuneration in excess of three thousand dollars (\$3000) excluded from the definition of wages under the provisions of this subsection may not be considered in determining the compensation rights of any individual under this act and in determining such rights the first three thousand dollars (\$3000) of remuneration on which contributions are payable shall be considered as paid only in the calendar quarter or quarters in which such amount was actually paid

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarraf,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.	McKinney,	Scott,
Bloom,	Hamilton, W. H.	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenshield,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Bower,	Helm,	Mikula,	Snider,



Breisch,	Hersch,	Miller, H. G.,	Sollenberger,
Breth,	Hewitt,	Miller, J. C.,	Spencer,
Brown,	Hocker,	Mills,	Stank,
Bucchin,	Hoggard,	Mintess,	Stimmel,
Byrne,	Hunter,	Monroe,	Stoner,
Cella,	Jenkins,	Moore, C. E.,	Swartz,
Clapper,	Johnson,	Moore, H. A.,	Swope,
Clendenning,	Jones, G. E.,	Moran,	Tahl,
Cochran,	Jones, J. M.,	Murray,	Taylor,
Conway,	Jones, P. F.,	Muldowney,	Thompson, E. F.,
Cooper,	Jones, T. H. W.,	Munley,	Thompson, R. L.,
Corr,	Jump,	Musto,	Toil,
Costa,	Kamyk,	Najaka,	Tompkins,
Coyle,	Keller,	Naugle,	Toomey,
Dalrymple,	Kent,	Needham,	VanSant,
Davis,	Kline,	Olsen,	Varallo,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Ligh,	Readinger,	White,
Flack,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg.

Speaker

NAYS—0

NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 883, as follows:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction

upon the Court of Common Pleas of Dauphin County and prescribing penalties" is hereby amended by adding at the end thereof a new paragraph to read as follows

Section 5 Licenseing Present Practitioners \* \* \* \* \*

All members of the State Board of Chiropractic Examiners whose terms of office had not expired on the date when the act to which this is an amendment was approved shall by virtue of their office receive certificates of licensure without examination The persons appointed to membership on the board to succeed members whose terms had expired before said approval date shall by virtue of their appointment receive certificates of licensure without examination

Section 2 Sections 7 8 and 13 of said act are hereby amended to read as follows

Section 7 Preliminary Educational Qualifications No person [matriculating in the study of chiropractic] after the effective date of this act shall be licensed to practice chiropractic unless he or she produces proof to the board before taking his or her examination of having had a general education of not less than a standard four year year of college credits in physics chemistry and biology high school course or its equivalent and not less than one as determined by the Department of Public Instruction

Section 8 Professional Education Qualifications Except hereinbefore provided for present practitioners no person shall hereafter be licensed to practice chiropractic in this Commonwealth unless he or she shall deliver to the secretary of the board a written application together with satisfactory proof that the applicant is more than twenty-one (21) years of age is of good moral character has obtained the preliminary education as required by section seven of this act and has graduated from an approved legally incorporated and reputable school or college of chiropractic as defined in section four of this act a course of chiropractic instruction of not less than four graded courses of not less than four thousand (4000) hours of fifty (50) minutes [each] of classroom and laboratory instruction in the subjects as set forth in section four and shall pass a final examination before the board as provided in this act

Section 13 Status of Existing Licensees and Registrants Preserved Any person licensed or legally authorized to practice chiropractic in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of chiropractic without being required to be licensed anew under the provisions of this act and as fully as if he were licensed under the provisions of this act and to that extent he shall be exempt from the penalties of this act and may remain under the jurisdiction of the State Medical Board of Education and Licensure subject to the provisions of the Medical Practice Act of 1911 [Those desiring to be under the jurisdiction of the chiropractic board shall be subject to the power of the board as provided by this act to suspend or revoke the license of any practitioner under this act for the causes set forth in this act and subject to the power of the board to require any such person to register annually as provided in this act]

Any person holding a valid license in drugless therapy to practice chiropractic issued by the State Board of Medical Education and Licensure prior to the tenth day of August one thousand nine hundred fifty-one may make application to the State Board of Chiropractic Examiners before the first day of September one thousand nine hundred fifty-two for a licensure under the provisions of the act to which this is an amendment and to become subject to the provisions of said act and to the jurisdiction and control of the board to the exclusion of the Board of Medical Education and Licensure and the laws administered by it Upon the payment of a fee the amount of which shall be fixed by the department the application shall be granted a certificate of licensure shall be issued without examination the certificate of licensure in drugless therapy to practice chiropractic issued by the State Board of Medical Education and Licensure shall be surrendered and cancelled and the applicant shall be entitled to the rights and privileges of the act to which this is an



amendment and subject to the jurisdiction of the board thereunder The board shall notify the State Board of Medical Education and Licensure of each certificate of licensure issued by it that is cancelled by the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovanssek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	C. Reer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarrat,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boies,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenschild,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Bower,	Helm,	Mikula,	Snider,
Breisch,	Hersch,	Miller, H. G.,	Sollenberger,
Breth,	Hewitt,	Miller, J. C.,	Spencer,
Brown,	Hocker,	Mills,	Stank,
Bucchin,	Hoggard,	Mintess,	Stimmel,
Byrne,	Hunter,	Monroe,	Stoner,
Cella,	Jenkins,	Moore, C. E.,	Swartz,
Clapper,	Johnson,	Moore, H. A.,	Swope,
Clendenning,	Jones, G. E.,	Moran,	Tahl,
Cochran,	Jones, J. M.,	Muldowney,	Taylor,
Conway,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cooper,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Corr,	Jump,	Musto,	Toll,
Costa,	Kamyk,	Najaka,	Tompkins,
Coyle,	Keller,	Naugle,	Toomey,
Dalrymple,	Kent,	Needham,	VanSant,
Davis,	Kline,	Olsen,	Varallo,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 884, Printer's No. 624 and

Senate Bill No. 891, Printer's No. 633

were passed over at the request of the SPEAKER.

## REPUBLICAN CAUCUS

The SPEAKER. There will be a brief Republican Caucus at 8:45. Members are requested to return to their seats immediately after the recess. Committee meetings in which all the Members are interested will be held after the recess.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for two hours. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 44.

An Act to amend section 1 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1203), entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries; authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries; and making an appropriation," by increasing the maximum amount of aid payable to any county

With the information that the Senate has passed the same without amendment.

## PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HALL asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. FROST asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 967.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for disability leave with salary and hospital and medical expenses for certain employees of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, Page 1, line 6, by adding after the word "for" the word "certain".

Amend Section 307, Page 2, lines 10 to 18 inclusive and page 3, lines 1 and 2, by striking out the following: "Every employe of jails and workhouses in counties of the second class who may be injured through the performance of his duties and by reasons thereof is temporarily incapacitated from performing his duties shall be paid by the county by which he is employed his" and inserting in lieu thereof the following: "guards matrons nurses or any employe who comes in contact with inmates of jails and workhouses in counties of the second class who may be incapacitated as a result of violence on them by an inmate the performance of their duties shall be paid by the county by which they are employed their"

Amend Section 307, Page 3, Line 8 by striking out after the word "such" the word "injury" and inserting in lieu thereof the word "injuries".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,
Andrews,	Greenwood,	Mazza,
Banker,	Greer,	McConnell,
Barkdoll,	Guarnieri,	McCormack,
Baumunk,	Gutendorf,	McCullough,
Bear,	Guthrie,	McDermitt,
Beaver,	Hagerty,	McGee,
Beech,	Hall,	McInroy,
Berkstresser,	Hamilton, R. K.,	McKinney,
Blair,	Hamilton, W. H.,	McMillen,
Bloom,	Harney,	McNally,
Boles,	Haudenshield,	Metz,
Bolton,	Headlee,	Mihm,
Bomberger,	Helm,	Mikula,
Bower,	Hersch,	Miller, H. G.,
Breisch,	Hewitt,	Miller, J. C.,
Breth,	Hocker,	Mills,
Brown,	Hoggard,	Mintess,
Buchin,	Hunter,	Monroe,
Byrne,	Jenkins,	Moore, C. E.,
Cella,	Johnson,	Moore, H. A.,
Clapper,	Jones, G. E.,	Moran,
Clendenning,	Jones, J. M.,	Muldowney,
Cochran,	Jones, P. F.,	Munley,
Conway,	Jones, T. H. W.,	Murray,
Cooper,	Jump,	Musto,
Corr,	Kamyk,	Najaka,
Costa,	Keller,	Naugle,
Coyle,	Kent,	Needham,
Dalrymple,	Kline,	Olsen,
Davis,	Kohl,	Penglase,
Dennison,	Kolankiewicz,	Peta,
Dougherty,	Kornick,	Petrosky,
Dowling,	Kratz,	Pettigrew,
DuBois,	Kubacki,	Pfaff,
Duffy,	Lafore,	Pichney,
Dunn,	Lederer,	Pitzer,
Erb,	Leisey,	Polaski,
Ewing,	Leonard, L.,	Polen,
Fenrich,	Leonard, W. O.,	Price, H. W. Jr.,
Ferster,	Leven,	Price, R. A.,
Filip,	Light,	Readinger,
Filo,	Limper,	Reagan,
Firmstone,	Loftus,	Reese,
Flack,	Lopresti,	Reidenbach,
Frost,	Lovett,	Reilly, J. M.,
Gaffney,	Lutty,	Rigby,
Geer,	Lyons,	Riley, R. L.,
Gibson,	Madden,	Robertson,
Gleason,	Madigan,	Rose,
Good,	Markley,	Rosen,
Goodling,		

Speaker

#### NAYS—0

#### NOT VOTING—1

Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1404

Mr. HELM. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1404.

The SPEAKER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 655

Mr. FLACK. Mr. Speaker, I desire to submit the report of the Committee of Conference on Senate Bill No. 655.

The SPEAKER. This being a Senate bill, the report of the Committee of Conference will lie over for printing by the Senate.

#### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Townships to meet during the session of the House.

Mr. EWING asked and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

Mr. GUTHRIE asked and obtained permission for the Committee on Counties to meet during the session of the House.

Mr. LOFTUS asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. FROST asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

#### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

#### SENATE BILL No. 889.

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employes.



Referred to the Committee on Cities—Third Class.

**SENATE BILL No. 893.**

An Act requiring one-half of the funds derived by cities of the second class from rentals or charges imposed upon consumers for water services to be used solely for construction reconstruction maintenance improvement and repair of such water works and for payment of obligations incurred for such purposes and prohibiting transfers of such funds.

Referred to the Committee on Cities and County—Second Class.

**SENATE BILL No. 896.**

An Act to confer jurisdiction in habeas corpus upon the several courts of quarter sessions of this Commonwealth and upon the judges thereof.

Referred to the Committee on Judiciary.

**SENATE BILL No. 903.**

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morganza.

Referred to the Committee on Appropriations.

**SENATE BILL No. 905.**

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

Referred to the Committee on Appropriations.

**SENATE BILL No. 908.**

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

Referred to the Committee on Appropriations.

**SENATE BILL No. 909.**

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

Referred to the Committee on Appropriations.

**SENATE BILL No. 913.**

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts.

Referred to the Committee on Education.

**SENATE BILL No. 914.**

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hun-

dred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases.

Referred to the Committee on Education.

**SENATE BILL No. 928.**

An Act to further amend Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by fixing the compensation of members of the State Police Force.

Referred to the Committee on State Government.

**SENATE BILL No. 937.**

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for refusal to issue and revocation of licenses.

Referred to the Committee on Welfare.

**REPORTS FROM COMMITTEES**

Mr. COOPER from the Committee on State Government, reported as committed, House Bill No. 106, entitled:

An Act creating the Commission on Organization of the Executive Branch of the Government, providing for the membership of such Commission, prescribing its powers and duties, and making an appropriation.

Mr. TAHL from the Committee on Appropriations, reported as committed, House Bill No. 565, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury.

Mr. DOWLING from the Committee on Municipal Corporations, reported as committed, House Bill No. 1308, entitled:

An Act to further amend sections two and seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them, and providing for the



administration of the same by a board composed of certain State officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such systems, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," by further defining the term "municipality" to include joint-county departments of health, by defining the term "joint county health commission," and by providing that joint-county departments of health may join the retirement system.

Mr. COOPER from the Committee on Appropriations, reported as committed, House Bill No. 1430, entitled:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids, and maintenance of civil air patrol aircraft; and making an appropriation.

Mr. COOPER from the Committee on Municipal Corporations, reported as committed, House Bill No. 1551, entitled:

An Act requiring approval of the interested electorate to initiate housing projects by housing authorities in certain political subdivisions.

Mr. GREER from the Committee on Ways and Means, reported as committed, House Bill No. 1742, entitled:

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth.

Mr. LEDERER from the Committee on State Government, re-reported as committed, Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor.

Mr. STIMMEL from the Committee on State Government, reported as committed, Senate Bill No. 867, entitled:

An Act to add Section 2315.2 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and all deputies and other assistants and employees in certain departments boards and commissions prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments

boards and commissions shall be determined" by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred.

Mr. DALRYMPLE from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth.

Mr. JUMP from the Committee on Counties, reported as committed, Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

Mr. KRATZ from the Committee on Highways, reported as committed, Senate Bill No. 881, entitled:

An Act to amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new routin Bucks County.

Mr. TAYLOR from the Committee on Highways reported as committed, Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.

Mr. FERSTER from the Committee on Education, reported as committed, Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses.

Mr. SOLLENBERGER from the Committee on Education, reported as committed, Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts.

Mr. WEIDNER from the Committee on Education, reported as committed, Senate Bill No. 914, entitled:



An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases.

Mr. SCHMIDT from the Committee on State Government, reported as committed, Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal Agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests there in and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects and increasing the borrowing capacity of the Authority.

Mr. ROYER from the Committee on State Government, reported as committed, Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quit claim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

Mr. COOPER from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes.

Mr. ROBERTSON from the Committee on Municipal

Corporations, reported as committed, Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law.

Mr. ROBERTSON from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and validating zoning ordinances or amendments thereto or political subdivisions not filed recorded or indexed as required by law.

Mr. FLACK from the Committee on Welfare, reported as committed, Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for refusal to issue and revocation of licenses.

Mr. LYONS from the Committee on Counties, re-reported as committed, Senate Bill No. 319, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

## BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 106, entitled:

An Act creating the Commission on Organization of the Executive Branch of the Government, providing for the membership of such Commission, prescribing its powers and duties, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 565, entitled:



An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1308, entitled:

An Act to further amend sections two and seven of the act, approved the fourth day of June, one thousand nine hundred fifty-three (P. L. 886), entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," by further defining the term "municipality" to include joint-county departments of health, by defining the term "joint-county health commission," and by providing that joint-county departments of health may join the retirement system.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1430, entitled:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids, and maintenance of civil air patrol aircraft and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1551, entitled:

An Act requiring approval of the interested electorate to initiate housing projects by housing authorities in certain political subdivisions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1742, entitled:

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 867, entitled:

An Act to add section 2315.2 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department hereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and all deputies and other assistants and employees in certain departments boards and commissions prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 881, entitled:

An Act to amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County.

Ordered, To be laid aside for second reading.

And said bill having been read at length the first time,

Agreeably to order,



The House proceeded to the first reading and consideration of Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance an dimprovement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creatin of the office of associate superintendent in third class districts

Ordered, To be laid aside for second reading.

And said bill having been read at length the first time,

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March one thousand nine hundred

forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for thepayment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal Agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests there in and to acquire lands therefore granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects and increasing the borrowing capacity of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quit claim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counaies' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531)



entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and validating zoning ordinances or amendments thereto or political subdivisions not filed recorded or indexed as required by law.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for refusal to issue and revocation of licenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 793, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate

On the question,

Will the House agree to the bill on third reading?

Mr. STIMMEL, Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 6, by inserting after the word "corporation" the following: "to any citizen or citizens of the United States or to any corporation".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## ALLEGHENY COUNTY JUDGES WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House Judge Samuel Weiss, a former Member of the House and Judge Henry X. O'Brien, of the Allegheny County courts.

## PERMISSION TO ADDRESS HOUSE

Mr. MORAN and obtained unanimous consent to address House.

Mr. Speaker, it is very important that I call your attention to the fact we have a Milk Control Board here in Pennsylvania which at the present only has the name of being a Milk Control Board. They have ceased to operate for the benefit of the citizens as a whole.

I would like to make a brief statement and I want to quote from an article I have here from one of the newspapers which points out my views very adequately, that all the Milk Control Board members' terms have run out.

Since May of this year, the price of milk in Pennsylvania has been determined by a commission of three men whose terms of office have expired.

None of the State Milk Control Commission members has been reappointed by Governor Fine or confirmed by the 1951 session of the Senate.

One commission member, John K. Snyder of Camp Hill, has been serving without appointment by a governor or confirmation by a Senate for 10 years.

Another commissioner, Charles J. O'Loughlin of Beaver, saw his term expire last May.

The Chairman of the commission, H. N. Cobb of Towanda, has been serving without confirmation since 1949. He listed the commission's service without record with the comment "We're just hanging on."

In addition, Cobb says the members have not been given a salary increase passed by the 1949 Legislature, which should have boosted their annual salaries by \$4000 apiece.

The law called for the chairman to receive \$10,500 instead of \$6500 and the commission members \$10,000 instead of \$6000. Cobb says they aren't receiving the larger amounts, but declined to tell the reporter just what the salary figures are.

Some technicality arose and we are not getting those amounts and that's all I care to say about it," Cobb added.

He said the Attorney General's office had held up the salary increases, granted in the 1949 Legislative session, "in some respect." "What it was I's not quite sure of right now," he added.

Attorney General Robert E. Woodside was unavailable for comment immediately on the situation.

Cobb hinted that they were still receiving the original amounts despite the law enabling them to receive more money.

One top lawyer for the milk industry interests, who declined quotation by name, said he "doubted if any legal action could be taken to have the commission's orders rescinded since their terms of office have expired."

The Governor, by not appointing someone else to take their place, has given them de facto (in fact) recognition," he added. "Of course a court might decide differently, but I don't think there will be a test case on it."



Mr. Speaker, I desire to offer a resolution at this time.

### RESOLUTION

Mr. MORAN offered a resolution and asked and obtained unanimous consent for it to be read for the information of the House.

The resolution was read as follows:

In the House of Representatives, December 17, 1951.

Whereas, The members of the Pennsylvania Milk Control Commission are all hold-overs, the terms of office for which they were originally appointed having expired; now therefore be it

Resolved (if the Senate concur), That the offices of chairman and members of the Pennsylvania Milk Control Commission are hereby declared to be vacant.

The SPEAKER. The resolution will be filed with the Clerk.

### INTERROGATION

Mr. SCHMIDT asked and obtained unanimous consent to interrogate Mr. Smith the Majority Leader.

Mr. Speaker, the House concurred in a conference report on House Bill No. 1698, Printer's No. 1116. There has been a question raised as to whether or not this bill would affect municipal or political subdivisions of the Commonwealth and authorities created by virtue of an act of Assembly.

I would like to inquire from the Majority Leader whether or not it was the Legislative intent that this bill should apply to the Commonwealth and to its political subdivisions or to authorities created by virtue of an act of Assembly.

Mr. SMITH. Mr. Speaker, I understand that a political subdivision in the Commonwealth is not affected by this bill and the intent has been not to tax them because they are a sovereign body in and of themselves. I think that may answer the gentleman's question.

Mr. SCHMIDT. Mr. Speaker, would that also extend to authorities created by virtue of acts of Assembly.

Mr. SMITH. Mr. Speaker, I will say that the intent is not to tax them either.

Mr. SCMDIT. I thank the gentleman, Mr. Speaker.

### RESOLUTION INTRODUCED AND REFERRED

By Mr. MORAN (Concurrent) RESOLUTION No. 87.

In the House of Representatives, December 17, 1951.

Whereas, The members of the Pennsylvania Milk Control Commission are all hold-overs, the terms of office for which they were originally appointed having expired; now therefore be it

Resolved (if the Senate concur), That the offices of chairman and members of the Pennsylvania Milk Control Commission are hereby declared to be vacant.

Referred to the Committee on Rules.

### SENATE MESSAGES

#### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 824.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school

employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/160) to the one one-hundred fortieth (1/140) class and to receive the benefits thereof.

Referred to the Committee on Education.

### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1138.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh.

HOUSE BILL No. 1139.

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of Marrh one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State oard of Osteopathic Examiners to delne the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the time and increasing the fee for annual registration of osteopaths.

HOUSE BILL No. 1206.

An Act to further amend the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by further delning "lnal salary" authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

HOUSE BILL No. 1681.

An Act to amend Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by increasing the salary of mine inspectors.

HOUSE BILL No. 1682.

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on

the work and making an appropriation therefor" by further increasing the salary of the first aid and mine rescue instructors.

With the information that the Senate has passed the same without amendment.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 796

Mr. SMITH. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 796.

The SPEAKER. This being a Senate bill, the report of

the Committee of Conference will lie over for printing by the Senate.

#### COMMITTEE MEETING

Game and Forestry, Mr. Goodling, Chairman, Room 331, Tuesday, December 18 at 10:45 a. m.

#### ADJOURNMENT

Mr. BEECH. Mr. Speaker, I move that this House do now adjourn until Tuesday, December 18, 1951 at 11:00 a. m.

The motion was agreed to, and (at 11:23 p. m.) the House adjourned.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, DECEMBER 18, 1951.

No. 106.

## SENATE

TUESDAY, December 18, 1951

The Senate met at 5:15 o'clock p. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

In the absence of the Chaplain, the gentleman from Berks, DOCTOR RUTH, offered the following prayer:

Almighty God, our Heavenly Father, we thank Thee for the privilege of meeting again and ask that as the pure snow from Heaven covers many of the blemishes of earth, so the spirit of cooperation and clear thinking erases many of the mistakes of man.

We pray for guidance through Thy Holy Spirit that this spirit of cooperation and clear thinking may be ever with us, so that when the final appraisal is made of our work, Thou canst say, "It is well done." We ask it in Thy Holy Name, Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WATSON, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment at Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 18, 1951.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### CAMERON COUNTY

Miss Margaret L. Wennin, Emporium.

#### NORTHAMPTON COUNTY

Albert C. Bonney, Wind Gap.

#### PHILADELPHIA COUNTY

Roy A. Schott, 1402 W. Lycoming Street.

Thomas Siltan, 6225 Tacony Street.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. PEELOR, That the Senate do advice and consent to said nominations. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilnot C. Draper, West Springfield, Erie County, for appointment as Justice of the Peace in the Township of Springfield, Erie County, to compute from January 7, 1952 until the first Monday of January, 1954. (reappointment).

JOHN S. FINE.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wallace M. Scott, 105 Vine Street, Ringtown, Schuylkill County, for appointment as Justice of the Peace in and for the Borough of Ringtown, Schuylkill County, until the first Monday of January, 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Helen J. Degler, Shartlesville, Berks County, for appointment as Justice of the Peace in and for the Township of Upper Bern, Berks County, until the first Monday of January, 1954, vice Peter H. Bricker, deceased.

JOHN S. FINE.

### HOUSE MESSAGES

#### SENATE BILL No. 793 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 793, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation, not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 323

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley, and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 323

Mr. WALKER. Mr. President, I move that the Senate

insists upon its amendments non-concurred in by the House to House Bill No. 323.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1142

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1142, entitled:

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1142

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1142.

Mr. MEADE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1224

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1224

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1224.

Mr. MEADE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1397

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1397

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1397.



Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1421

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1421

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1421.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1582

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1582

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1582.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1056

Mr. BLASS. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by providing additional penalties.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORTS FROM COMMITTEES

Mr. MAHANY, from the Committee on State Government, reported as committed, House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the salary of members of the General Assembly, and providing a salary and payment of expenses in the event of annual sessions.

Mr. FLEMING, from the Committee on Local Government, reported as committed, House Bill No. 1704, entitled:

An Act to further amend section 4 and 8 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

##### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 13, 1951.

To the Honorable, the Senate of the Commonwealth of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard V. Kniess, R. D. No. 1, Portersville, Butler County, for appointment as Justice of the Peace in and for the Borough of Portersville, Butler County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 13, 1951.

To the Honorable, the Senate of the Commonwealth of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Pennsylvania Training School at Morganza: Ernie Adamson, Mt. Lebanon, Allegheny County, from August 19, 1949, for the term of four years, and until his successor is qualified.

D. S. Pollock, Canonsburg, Washington County, for the term of four years, and until his successor is qualified. (Reappointment)

Hon. S. John Morrow, Uniontown, Fayette County, for the term of four years, and until his successor is qualified. (Reappointment)

Mrs. Mary Jane Myers, Trinity Cathedral, 323 Oliver Street, Pittsburgh, Allegheny County, for the term of four years, and until her successor is qualified, to fill a vacancy.

Dr. P. L. Prattis, 1311 Grotto Street, Pittsburgh, Allegheny County, for the term of four years, and until his successor is qualified, to fill a vacancy.

Donald S. Steinfirst, 1463 Beechwood Boulevard, Pittsburgh, Allegheny County, for the term of four years, and until his successor is qualified, to fill a vacancy.

JOHN S. FINE.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOLFE, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. TAYLOR That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

#### CALENDAR

#### SENATE BILL No. 897 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar Senate Bill No. 897 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 897, as follows:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia by amendments or supplement to the Philadelphia Home Rule Charter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 (a) The primary purpose of this act is as far as practicable to provide for the integration with the provisions of the Philadelphia Home Rule Charter adopted on the seventeenth day of April one thousand nine hundred fifty-one of the work of certain of the former County officers who were abolished as such by the adoption on the sixth day of November one thousand nine hundred fifty-one of Article XIV section eight of the Constitution of Pennsylvania

(b) As used in this act Mayor and City Solicitor mean the specified officers created by the aforesaid Philadelphia Home Rule Charter

Section 2 (a) Within thirty days after the first Monday of January one thousand nine hundred fifty-two the Governor and the Mayor of Philadelphia shall appoint a bipartisan commission for the purpose of framing a supplement or certain amendments to the Philadelphia Home Rule Charter as hereinafter provided five members to be appointed by the Governor and five by the Mayor each member shall be a registered elector of the city Any vacancy in the membership of the commission caused by death resignation removal from the city or otherwise shall be filled by the officer who appointed the member whose position is vacant by appointing as a member of the commission a registered elector of the city

(b) The amendments or supplement to be framed by said commission shall be only such as may be necessary to transfer merge or distribute functions and duties heretofore performed by all former county officers in accordance with the purposes and intent of article fourteen section eight of the Constitution of Pennsylvania and shall provide for the manner of selection whether appointed or elected and if appointed by whom and for the terms if any of officers designated for the performance of such former county officers of Philadelphia or their offices shall not apply to the Board of Revision of Taxes and the Registration Commission of Philadelphia.

(c) The commission created under the provisions of this section shall organize hold meetings and carry out its functions in the same manner as the Philadelphia Charter Commission appointed under the provisions of the First Class City Home Rule Act

(d) The amendments or the supplement when prepared by the commission shall be submitted to the City Council which shall cause said proposals together with the form of the proper question or questions to be printed for distribution and shall provide for the submission of such proposed amendments or supplement to the qualified electors of the city for their approval or disapproval at a special election on a day fixed and designated by ordinance in the same manner as provided for in sections nine and ten of the First Class City Home Rule Act

(e) Any of said amendments or any such supplement to the charter which are approved by a majority of the qualified electors voting thereon shall become the organic law of the city at such time as may be fixed therein

(f) All officers including those elected at the one thousand nine hundred fifty-one municipal election and replacing former county officers shall continue to perform their duties and be elected appointed compensated and organized in such manner as may be provided by the provisions of the Constitution and the laws of the Commonwealth until the provisions of the supplement or amendments to the Philadelphia Home Rule Charter authorized hereby become effective

(g) No amendments or changes shall be framed by the commission or submitted to the vote of the electors under the provisions of this section which shall be in conflict or inconsistent with other provisions of this act

Section 3 Former County employees who are transferred to any City department or other agency shall retain all



rights to retirement with pension which shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if the transfer had not been made

Section 4 (a) All petitions hearings and other proceedings pending before any former County officer board or commission and all prosecutions legal or other proceedings and investigations begun by any such officer board or commission and not completed at the time of the taking effect of any amendments or supplements to the Philadelphia Home Rule Charter adopted pursuant to this act shall continue and remain in full force and effect notwithstanding the adoption of such amendments or supplements and may be completed before or by the officer department board or commission which succeeds to the rights powers duties and obligations of such officer board or commission All questions arising under this section shall be determined by the City Solicitor

(b) All orders rules and regulations made by any former County officer board or commission shall remain in full force and effect until revoked or modified by the officer department board or commission succeeding to the rights powers duties and obligations of such former officer board or commission

(c) All existing contracts and obligations of the former County officers boards and commissions shall remain in full force and effect and shall be performed by the officers departments boards and commissions to which the rights powers duties and obligations of such former officers boards or commissions are transferred

(d) Whenever reports or notices were formerly required or given or papers or documents furnished or served by any person to or upon any former County officer board or commission or deputy assistant agent or other subordinate or employe thereof the same shall be made given furnished or served in the same manner to or upon the office department board or commission upon which are now conferred or imposed by any amendments or supplements to the Philadelphia Home Rule Charter adopted pursuant to this act the rights powers and duties formerly exercised or discharged by such officer board commission or deputy assistant agent or other subordinate or employe thereof and every penalty for failure to do so shall continue in effect

Section 5 All of the provisions of the Philadelphia Home Rule Charter not inconsistent with this act shall be applicable and in full force and effect

Section 6 The members of the Registration Commission and the Board of Revision of Taxes shall continue to be appointed and compensated as provided by law and they shall receive such compensation as they now receive The Registration Commission and the Board of Revision of Taxes shall continue to appoint such assistants and employes as provided by law

Section 7 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding invalid any part or parts hereof the remaining provisions of this act shall be given full force and effect as if the part or parts held invalid had not been included herein

Section 8 This act shall become effective immediately upon its final enactment except that all former County officers now in office shall be permitted to complete their terms and that any provisions hereof which cannot become effective until the Philadelphia Home Rule Charter becomes effective shall take effect on the first Monday of January on thousand nine hundred fifty-two The County officers elected at the 1951 municipal election shall assume office as officers of the City pursuant to the provisions of this act

Section 9 All acts and parts of acts general local and special inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meads,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 188, as follows:

An Act to amend Section 1 and the fourth paragraph of Section 2 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the number of judges of the Municipal Court of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" is hereby amended to read as follows

Section 1 Be it enacted &c That in the county of Philadelphia there shall be and hereby is created a court of record to be known as the Municipal Court of Philadelphia It shall consist of a president judge and one associate judge for each two hundred thousand of population or fractional part thereof in excess of one hundred thousand in such county such population to be determined from time to time by the latest census of the United States thirteen associate judges

Section 2 The fourth paragraph of Section 2 of said act as amended by the act approved the twenty-fifth day of May one thousand nine hundred twenty-one (P. L. 1161) is hereby further amended to read as follows

#### Section 2

\* \* \* \* \*

In the event of a vacancy in the office of judge [or when by reason of a new United States census more judges are to be chosen] the Governor shall appoint judges to hold office until the first Monday of January succeeding the next municipal election at which election the vacancies shall be filed [and the additional judges caused by such increase in population shall be elected to the full term of ten years from the first Monday of January next following such election]

Section 3 The Governor shall appoint three persons learned in the law and otherwise legally qualified and commission them as associate judges of Municipal Court of Philadelphia to serve until the first Monday of January of the year following the next municipal election the primary for which occurs at least sixty days after the effective date of this act at which election successors to the judges so appointed shall be elected by the duly qualified electors of Philadelphia County

Section 4 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 188

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 188.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 502, as follows:

An Act to amend the title and Sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities or-

ganized by cities of the third class and exempting public utilities from the obligations imposed in said act The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" are hereby amended to read as follows

An Act authorizing and requiring cities boroughs townships and municipal authorities [and public utility companies] engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class or cities of the third class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith

Section 1 If the owner or occupant of premises served by any water utility as hereinafter defined shall neglect or fail to pay for a period of thirty (30) days from the due date thereof any rental rate or charge for sewer sewerage or sewage treatment service imposed by an municipal authority organized by any county of the second class or city of the third class such water utility is hereby authorized and required at the request and direction of such authority or of the city borough or township to which the authority shall have assigned its claim or lien for such service to shut off the supply of water to such premises until all such overdue rentals rates and charges together with any penalties and interest thereon shall be paid If such authority or such city borough or township shall also supply water to any premises it is hereby authorized to shut off the supply of water to such premises as herein set forth

Section 5 As used in this act the term "Water Utility" or "Water Utilities" shall be construed to include all cities boroughs townships and municipal authorities [and Public Utility Companies] engaged in the supplying of water or water service

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 502

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 502.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 503, as follows:

An Act to amend the title and sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting public utilities from the obligations imposed therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" are hereby amended to read as follows

## An Act

Authorizing and requiring cities boroughs townships and municipal authorities [and public utility companies] engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class or by cities of the third class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith

Section 1 If the owner or occupant of premises served by any water utility as hereinafter defined shall neglect

or fail to pay for a period of thirty (30) days from the due date thereof any rental rate or charge for sewer sewerage or sewage treatment service imposed by any municipal authority organized by any county of the second class or by any city of the third class such water utility is hereby authorized and required at the request and direction of such authority or of the city borough or township to which the authority shall have assigned its claim or lien for such service to shut off the supply of water to such premises until all such overdue rentals rates and charges together with any penalties and interest thereon shall be paid If such authority or such city borough or township shall also supply water to any premises it is hereby authorized to shut off the supply of water to such premises as herein set forth

Section 5 As used in this act the term "water utility" or "water utilities" shall be construed to include all cities boroughs townships and municipal authorities [and public utility companies] engaged in the supplying of water or water service

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 503

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 503.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

## OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling



including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeiture fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirement for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### HOUSE BILL No. 1441 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1441, for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1441, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. WOOD and WAGNER offered the following amendments:

Amend Sec. 1 (Sec. 306), page 3, line 3, by striking out the bracket before the word "For"; Amend Sec. 1 (Sec. 306), page 3, line 3, by inserting a bracket before and after the word "five" and inserting immediately thereafter: "seven"; Amend Sec. 1 (Sec. 306), page 3, line 6, by inserting a bracket before and after the word "twenty-five" and inserting immediately thereafter: "thirty";

Amend Sec. 1 (Sec. 306), page 3, line 7, by inserting a bracket before the word "twelve" and after the word "cents" and inserting immediately thereafter: "twenty dollars"; Amend Sec. 1 (Sec. 306), page 3, line 8, by inserting a bracket before the word "twelve" and after the word "hundred" and inserting immediately thereafter: "twenty thousand"; Amend Sec. 1 (Sec. 306), page 3, line 10, by inserting a bracket before the word "twelve" and after the word "cents" and inserting immediately thereafter: "twenty dollars"; Amend Sec. 1 (Sec. 306), page 3, line 12, by inserting a bracket before the word "six" and after the word "cents" and inserting immediately thereafter: "ten dollars"; Amend Sec. 1 (Sec. 306), page 3, lines 17, 18 and 19, by striking out the bracket following the word "disability" and the words "Sixty-six and two-thirds per centum of the" in line 17, and both of lines 18 and 19; Amend Sec. 1 (Sec. 306), page 4, lines 1 to 19, both inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. WOOD and WAGNER offered the following amendment:

Amend Title, page 2, line 2 of title, by striking out "Deleting the limitation of" and inserting in lieu thereof: "increasing the."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 1442 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1442 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1442, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.



The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. WOOD and WAGNER offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Clause (a)" and inserting in lieu thereof "Clauses (a) and (e)"; Amend Sec. 1, page 3, line 9, by striking out "clause" and inserting in lieu thereof "clauses"; Amend Sec. 1, page 4, by inserting between lines 10 and 11 the following: \*

\* \* \* \* (e) Compensation shall not be payable for partial disability due to silicosis, anthraco-silicosis, or asbestosis. Compensation shall be payable as otherwise provided in this act, for total disability or death caused [solely (as definitely distinguished from a contributory or accelerating cause)] by silicosis, anthraco-silicosis or asbestosis, or by silicosis, anthraco-silicosis, or asbestosis, when accompanied by active pulmonary tuberculosis."

Amend Sec. 1 (Sec. 306), page 5, line 1, by striking out the bracket before the word "For"; Amend Sec. 1 (Sec. 306), page 5, line 1, by inserting a bracket before and after the word "five" and inserting immediately thereafter "seven"; Amend Sec. 1 (Sec. 306), page 5, line 4, by inserting a bracket before and after the word "twenty-five" and inserting immediately thereafter "thirty"; Amend Sec. 1 (Sec. 306), page 5, line 5, by inserting a bracket before the word "twelve" and after the word "cents" and inserting immediately thereafter "twenty dollars"; Amend Sec. 1 (Sec. 306), page 5, line 6, by inserting a bracket before the word "twelve" and after the word "hundred" and inserting immediately thereafter "twenty thousand"; Amend Sec. 1 (Sec. 306), page 5, line 8, by inserting a bracket before the word "twelve" and after the word "cents" and inserting immediately thereafter "twenty dollars"; Amend Sec. 1 (Sec. 306), page 5, line 10, by inserting a bracket before the word "six" and after the word "cents" and inserting immediately thereafter "ten dollars"; Amend Sec. 1 (Sec. 306), page 5, lines 15 to 19, by striking out the bracket after the word "disability" and "Sixty-six and two-thirds per centum of the wages of the" in line 15, all of lines 16 to 19 inclusive; Amend Sec. 1 (Sec. 306), page 6, lines 1 to 17, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD on behalf of Mr. WAGNER offered the following amendments:

Amend Sec. 2, page 19, line 1, by striking out the word "eighty" and inserting in lieu thereof the following: "sixty"; Amend Sec. 2, page 19, line 2, by striking out the word "twenty" and inserting in lieu thereof the following: "forty".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. WOOD and WAGNER offered the following amendments:

Amend Sec. 3 (Sec. 420), page 19, lines 3 to 19, both inclusive, by striking out all of said lines; Amend Sec. 3

(Sec. 420), page 20, lines 1, 2 and 3, by striking out all of said lines and inserting in lieu thereof: "Section 3. Section 401 of said act, as amended by the act, approved the twelfth day of June, one thousand nine hundred forty-one (Pamphlet Laws 125), is hereby further amended to read as follows: Section 401. The term "employer", when used in this article, shall mean the employer as defined in article one of this act, or duly authorized agent, or his insurer if such insurer has assumed the employer's liability, or the State Workmen's Insurance Fund of this Commonwealth if the employer be insured therein. The department shall be deemed a "party in interest" in any proceeding under this article before a referee, the board or any court involving any claim for compensation, a part of which is payable by the Commonwealth under the provisions of this act. [The term "medical board" shall mean a medical board constituted as provided in section four hundred and two.] Section 4. Sections 402 and 420 of said act are hereby repealed. Section 5. Sections 421, 422 and 423 of said act are hereby amended to read as follows: Section 421. All hearings before the board or one or more members thereof [or before the medical board] or before a referee shall be public. Section 422. The board, its members and the referees, [and the medical board] shall not be bound by the technical rules of evidence in conducting hearings and investigations, but all findings of fact shall be based only upon sufficient competent evidence to justify them. If any party or witness resides outside of the Commonwealth, or through illness or other cause is unable to testify before the board, or a referee, [or the medical board] his or her testimony or deposition may be taken, within or without this Commonwealth, in such manner and in such form as the board may, by special order or general rule, prescribe. The records, kept by a hospital of the medical or surgical treatment given to an employee in such hospital shall be admissible as evidence of the medical and surgical matters stated therein, but shall not be conclusive proof of such matters. Section 423. Any party in interest may, within twenty days after notice of a referee's award or disallowance of compensation shall have been served upon him, take an appeal to the board on the ground (1) that the award or disallowance of compensation is not in conformity with the terms of this act, or that the referee committed any other error of law; (2) that the findings of fact and award or disallowance of compensation was unwarranted by sufficient, competent evidence, or was procured by fraud, coercion, or other improper conduct of any party in interest. The board may, upon cause shown, extend the time provided in this article for taking such appeal or for the filing of an answer or other pleading. In any such appeal the board may disregard the findings of fact of the referee and may examine the testimony taken before such referee, and if it deem proper may hear other evidence, and may substitute for the findings of the referee such findings of fact as the evidence taken before the referee and the board, as hereinbefore provided, may, in the judgment of the board, require, and may make such disallowance or award of compensation or other order as the facts so founded by it may require [but the board shall accept as conclusive upon it, the findings and conclusions of the medical board.]

On the question,

Will the Senate agree to the amendments?

Mr. KESSLER. Mr. President, I ask for a roll call.

Mr. BLASS. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. The Clerk will call the roll.

(During the calling of the roll the following occurred:)

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Luzerne, Mr. Wood.

The PRESIDING OFFICER. Will the gentleman from Luzerne, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I will, Mr. President.

Mr. WALKER. Mr. President, in order to place the information before the gentlemen of the Senate, as I understand it, the amendments now under consideration deal with the medical board only.

Mr. WOOD. That is correct, Mr. President, the amendments offered pertain to the elimination of the medical board.

Mr. WALKER. And that is the only thing the amendments do?

Mr. WOOD. That is my understanding, Mr. President.

The yeas and nays were required by Mr. FESSLER and Mr. BLASS, and were as follows, viz:

#### YEAS—33

Bane,	Lane,	Neff,	Wade,
Barr,	Leader,	Pechan,	Wagner,
Byrne,	Letzler,	Rosenfeld,	Walker,
Dent,	Mahanay,	Ruth,	Watkins,
DiSilvestro,	Mallery,	Silvert,	Watson,
Fleming,	McCreesh,	Snowden,	Wood,
Haluska,	McGinnis,	Stiefel,	Yosko,
Holland,	Meade,	Taylor,	Hare,
Kephart,			Presiding Officer

#### NAYS—13

Berger,	Diehm,	McPherson, Jr.	Robinson,
Blass,	Freed,	Peelor,	Stevenson,
Chapman,	Kessler,	Propert,	Wolfe,
Crowe,			

So the question was determined in the affirmative.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Messrs. WOOD and WAGNER offered the following amendment:

Amend Sec. 4, page 20, line 4, by striking out the figure "4" and inserting in lieu thereof "6."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WOOD on behalf of Mr. WAGNER offered the following amendment:

Amend the title, page 2, line 3, by inserting after the word "compensation" the following: "and further defining the liability of the employer and the commonwealth."

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

Messrs. WOOD, and WAGNER offered the following amendments:

Amend Title, page 2, last line of Title, by striking out "changing time for mailing medical report" and insert-

ing in lieu thereof "removing the limitation on total disability or death caused by certain occupational diseases"; Amend Title, page 2, last line of Title, by striking out "changing time for mailing medical report" and inserting in lieu thereof "eliminating the medical board and its functions."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 655

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 655, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 655, entitled:

"An act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled 'An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes \* \* \* and eliminating the triennial assessment' by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearing on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court"

Respectfully submit the following bill as our report:

GEORGE B. STEVENSON,  
C. R. MALLERY,  
WILLIAM J. LANE,

(Committee on the part of the Senate.)

HAROLD E. FLACK,  
JAMES W. ROBERTSON,  
HIRAM SWOPE,

(Committee on the part of the House of Representatives.)

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for



their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 502 504 506 601 and 602 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" are hereby amended to read as follows

#### An Act

Relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment

Section 502 Oath of Assessor Before entering on the duties of his office each assessor shall take and subscribe the following oath or affirmation

"I ..... do hereby (swear or affirm) that I will as assessor for ..... (ward borough town or township) use my utmost diligence to discover and ascertain all persons and property made taxable by law and will assess rate and value all such persons and property in accordance with the law and all rules and regulations of the Board of Assessment and Revision of Taxes made pursuant thereto" and will perform to the best of my ability the duties imposed upon me by law and keep faith with trust reposed in me by the citizens of the community I serve"

A copy of the oath of assessor duly attested by an officer empowered to administer oaths shall be filed by the assessor with the board For the purpose of this section the chief assessor the board or any member thereof shall be competent to administer the oath or affirmation

Section 504 Penalty on Assessor for [Failure to Assess for Making False or Incorrect Assessment and for] Failure to Perform Duty (a) If any assessor knowingly and intentionally omits neglects or refuses [to assess and return any property person or thing made taxable by law or knowingly and intentionally assesses rates or values the same at more or less than he knows and believes the just value thereof for purposes of taxation or neglects or refuses] to comply with any order or warrant issued to him in conformity with law or neglects or refuses to obey any valid rule or regulation of the board or neglects or refuses to secure any information or data necessary for assessment purposes reasonably and properly requested by the chief assessor he shall be guilty of a misdemeanor in office and on conviction thereof shall be fined not more than two hundred dollars and shall be removed from office

Section 506 Duties of Assessor It shall be the duty of each assessor to gather and report to the chief assessor all data and information necessary to assess rate and value all subjects or objects of local taxation within the respective ward borough town or township of which he is assessor whether for county city borough town township school poor or institution district purposes in accordance with the law and all lawful regulations prescribed by the board

Section 601 Preparation of Assessment Roll Annually on or before the first day of [September] August the chief assessor shall from the returns made by the local assessors prepare and submit to the board in the form prescribed by the board an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person by the assessor The chief assessor shall at the same time prepare and submit a list of all property exempted by law from taxation The making of triennial assessments as provided by existing law is hereby abolished

Section 602 Valuation of Persons and Property It shall be the duty of the chief assessor to assess rate and value all subjects and objects of local taxation whether for county township town school (except in cities) county institution district poor or borough purposes according to the actual value thereof and in the case of subjects and objects of local taxation other than real property at such rates and prices for which the same would separately bona fide sell Real property shall be assessed at a value based upon an established predetermined ratio of which proper notice shall be given not exceeding seventy-five per centum (75%) of its actual value or the price for which the same would separately bona fide sell In arriving at such value the price at which any property may actually have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish with other similar property within the county when assessing real property the chief assessor shall also take into consideration the value of such property as indicated by the use of cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio

Section 2 Said act is hereby amended by adding after Section 602 two new sections to read as follows

Section 602.1 Changes in Valuation The chief assessor may with the consent of the board change the assessed valuation on real property when (i) a parcel of land is divided and conveyed away in smaller parcels or (ii) when the economy of the county or any portion thereof has depreciated or appreciated to such extent that real estate values generally in that area are affected and (iii) when improvements are made to real property or existing improvements removed from real property

The painting of a building or the normal regular repairs to a building aggregating one thousand dollars (\$1000) or less in value annually shall not be deemed cause for a change in valuation

Section 602.2 Abstracts of Building Permits and Information on Improvements to be Furnished Chief Assessor (a) The office issuing building permits in every political



subdivision of each county shall keep a daily record separate and apart from all other records of every building permit issued which shall set forth the following information the date of issuance the names and addresses of the persons owning and a description sufficient to identify the property for which the permit was issued the nature of the improvements and the amount in dollars in which issued On or before the first Monday of each month such office shall file the daily record in the office of the chief assessor of the county in which it is located together with a certificate of the head of such office that its contents are correct Such office shall charge and collect from each person to whom a building permit is issued the sum of fifteen cents which sum shall be in full compensation for its services under the provisions of this act

(b) Whenever any person makes improvements other than painting of or normal regular repairs to a building aggregating one thousand dollars (\$1000) or less in value annually to any real property in any political subdivision in the county and he is not required to obtain a building permit therefor by any political subdivision within thirty days of commencing the improvements he shall furnish the following information to the chief assessor the name and address of the person owning and a description sufficient to identify the property involved the nature of the improvements made or to be made and the amount in dollars of the value of the improvements

Any person who wilfully fails to comply with the provisions of this subsection or who in furnishing such information wilfully falsifies the same shall upon conviction thereof in a summary proceedings be sentenced to pay a fine of not more than fifty dollars (\$50.00)

(c) At least once every three months the chief assessor shall forward copies of such improvement records to the assessors of the political subdivision in which such improvements are made or contemplated The assessors shall visit the site of the improvements and secure any information the chief assessor requests which may include the description and measurements type of construction degree of completion cost and probable value of the improvements

Section 3 Section 604 of said act is hereby amended to read as follows

Section 604 Assessment Roll to Be Open for Public Inspection The assessment roll shall be open to public inspection at the offices of the board at the county seat during ordinary business hours of each business day from the time of completion and delivery to the board to and including the first day of [October] September Upon receipt of the assessment roll from the chief assessor the board shall give notice by publication in at least one and not more than three newspapers published in the county that such assessment roll has been completed and the place and times when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file a statement in writing designating the assessment appealed from with the board on or before the [fifteenth day of November] first day of September

Section 4 Said act is hereby amended by adding after Section 605 a new section to read as follows

Section 605.1 Grantees of Real Property to Register Deed with Chief Assessor It shall be the duty of every grantee of real property to register the deed of conveyance in the office of the chief assessor for the county in which the land or the greater portion of it in area is situated within thirty days from the date of conveyance unless such deed shall have been previously recorded in the office of the Recorder of Deeds

Any person who wilfully fails to comply with the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars (\$50) and not more than one hundred dollars (\$100)

Section 5 Sections 608 612 and 617 of said act are hereby amended to read as follows

Section 608 Assessments of Lands Divided by County Lines The chief assessor shall on all lands made the assessment in the county in which the mansion house is sit-

uated when county lines divide a tract of land Whenever the dividing line between two counties shall pass through the mansion house of any tract of land the owner of the land so divided may choose as the situs of assessment either of the counties by a written notice of his election to the commissioners of both counties The assessor of the county so chosen shall assess therein all the tract of land In the event that the owner shall refuse or fail to so choose then the county in which the larger portion of the mansion house is situated shall have the right of assessment

Section 612 Assessment of Coal Underlying Lands Divided by County Township or Borough Lines The chief assessor shall where lands underlaid with coal are divided by county city township or borough lines the ownership of which coal has been severed from the ownership of the overlying strata or surface assess each division of said coal in the county city township or borough in which it actually lies

Section 617 Assessing Real Estate Subject to Ground Rent Dower or Mortgage All real estate subject to ground rent dower or mortgage shall be estimated at its full value assessed according to the provisions of section six hundred two and taxed accordingly except in the case of real estate subject to ground rent where there is no provision made in the ground rent deed that the lessee shall pay the taxes on the ground rent in which cases such ground rent shall be estimated and assessed for taxes to the owners thereof

Section 6 Section 701 of said act as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1229) is hereby further amended to read as follows

Section 701 Appeal Notices (a) Upon receipt of the assessment roll from the assessor or as soon thereafter as possible and not later than the [first day of September] fifteenth day of August the board shall examine and inquire whether the assessments and valuations have been made in conformity with the provisions of this act and shall revise the same increasing or decreasing the assessments and valuations as in their judgment may seem proper and shall add thereto such property or subjects of taxation as may have been omitted It shall [thereupon] within five days after completing said examination and revision cause to be mailed or delivered to each owner of property or person assessed the value of whose property or person assessment has been changed from that fixed in the preceding assessment roll as corrected after revision at his last known address a notice of such change and the amount of such new assessment Said notice shall state that any person aggrieved by such change or by any assessment may appeal to the board for relief by filing with the board on or before the first day of [October] September a statement in writing of such intention to appeal designating the assessment or assessments by which such person is aggrieved and the address to which notice of when and where to appear for hearing of the appeal shall be mailed

(b) Any person aggrieved by any assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of [October] September file with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of when and where to appear for hearing

No person shall be permitted to appeal from any assessment in any year unless he shall first have filed the statement of intention required by this section nor shall any person be permitted to appeal as to any assessment not designated in such statement

Section 7 Section 702 703 and 704 of said act are hereby amended to read as follows

Section 702 Appeal Hearings On the first business day following the first of [October] September the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all persons who have stated their intention to appeal have



been heard and the appeals acted upon but not later than the first day of [December] October The board shall notify each person who has filed a statement of intention to appeal of the time and place where he shall appear for the purpose of being heard by depositing such notice in the mail addressed to such person at the address designated in the statement of intention to appeal not later than the fifth day preceding the day designated in the notice for such appearance All hearings on appeals before the board shall be open to the public and shall be conducted in accordance with regulations prescribed by the board Any person may appear and be heard either in person or by counsel At such hearing the board shall inquire as to the equity of the assessment appealed from in relation to other similar assessments as well as to the proper value of the subject or object assessed and after such hearing shall make such order as to it seems just and equitable affirming raising or lowering the assessment appealed from The order of the board shall be entered in the minutes of the board and a copy of such order shall be delivered to the person who appealed either in person or by mail to the address shown in the statement of intention to appeal within five days after the hearing on such appeal The chief assessor and such assistant assessors as he or the board may designate shall attend each hearing and shall furnish the board with such information relating to the assessment appealed from as the board may desire Either the board or the person appealing may call such witnesses as they desire and as may be permitted under the rules of the board and the board may examine such witnesses under oath For the purpose of examining witnesses any member of the board shall be competent to administer oaths

Section 703 Correction of Assessment Roll Preparation of Duplicates When the board has completed the hearing of appeals and has in each case entered its order the chief assessor shall make such changes in the assessment roll as will make it conform to the orders of the board When such corrections have been made the chief assessor shall prepare three copies of the assessment roll and deliver them on or before the first day of [February] December with his certificate that they are a true copy of the original assessment roll to the following

(1) One copy to the chief clerk of the county commissioners

(2) One copy of such portion of the roll as contains the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary All copies of such roll so furnished shall for all purposes be considered as originals The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions The original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safekeeping of such roll

On or before the fifteenth day of [December] October the chief assessor shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupation and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions

Section 704 Appeal to court from order of board collection pending appeal payment into court any person who shall have appealed to the board for relief from any assessment who may feel aggrieved by the order of the

board in relation to such assessment may appeal from the order of the board to the court of common pleas of the county within which such property is situated and for that purpose may present to said court or file in the prothonotary's office within sixty days after the board entered its order on the said assessment a petition signed by him his agent or attorney setting forth the facts of the case and thereupon the court shall proceed at the earliest convenient time to be by them appointed of which notice shall be given to the board to hear the said appeal and the proofs in the case and to make such orders and decrees touching the matter complained of as to the judges of said court may seem just and equitable having due regard to the valuation and assessment made of other persons or real estate in such county as well as to the proper value of the subject or object determining from the evidence submitted at the hearing what ratio was used generally in the taxing district and the court shall direct the application of the ratio so found to the value of the property which is the subject matter of the appeal and such shall be the assessment the costs of the appeal and hearing to be apportioned or paid as the court may direct provided however that the appeal shall not prevent the collection of taxes based on the assessment complained of but in case the same shall be reduced then the excess shall be returned to the person or persons who shall have paid the same and provided further that the appellant may pay the amount of the tax alleged to be due by reason of the assessment appealed from to the tax collector under protest in writing in which case when the tax is paid over to the taxing district it shall be the duty of the tax collector to notify the taxing district of such payment under protest by delivering to it the protest in writing whereupon the taxing district shall be required to segregate twenty-five per centum of the amount of the tax paid over and shall deposit the same in a separate account in the depository in which the funds of the taxing district are deposited and shall not be permitted to expend any portion of such segregated amount unless it shall first petition the court alleging that such segregated amount is unjustly withheld thereupon the court shall have power to order the use by the taxing district of such portion of such segregated amount as shall appear to said court to be reasonably free from dispute and the remainder of the segregated amount shall be held segregated by the taxing district pending the final disposition of the appeal provided further that upon final disposition of the appeal the amount found to be due the appellant as a refund shall also be a legal set-off or credit against any future taxes assessed against the appellant by the same taxing district and where a taxing district alleges that it is unable to thus credit all of such refund in one year the court upon application of either party shall determine over what period of time such refund shall be made and shall fix the amount thereof which shall be credited in any year or years this proviso shall be construed to apply to all refunds that are now due or may hereafter become due as the result of appeals from assessments that have not been finally determined or adjusted at the time this act takes effect regardless whether there has been a payment of any moneys into court or to the tax collector under written protest

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 655

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 655.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Bane,	Freed,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelior,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Wolfe,
Diehm,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Hare,
			Presiding Officer

## NAYS—1

Watson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 789

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE REJECTS REPORT OF COMMITTEE OF  
CONFERENCE ON SENATE BILL No. 789

Mr. WALKER. Mr. President, I move that the Senate reject the Report of the Committee of Conference on Senate BILL No. 789.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelior,	Wagner,
Byrne,	Leader,	Propert,	Walker,

Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 796

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 796, as follows:

Report of the Committee of Conference on  
Senate Bill No. 796

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 796, entitled: "An act prohibiting the occupation of living quarters over or the depositing of foreign substances in any natural lake or pond which is the source of water used for human consumption; prescribing penalties and authorizing the courts of common pleas to enjoin violations."

Respectfully submit the following bill as our report:

T. N. WOOD,  
JAMES S. BERGER,  
ANTHONY J. DI SILVESTRO,  
(Committee on the part of the Senate.)  
BAKER ROYER,  
ALBERT S. READINGER,  
CHARLES C. SMITH,  
(Committee on the part of the House of Representatives.)

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any natural lake or pond which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person who occupies any living quarters or permits another to occupy living quarters owned or under his control in a building over a natural lake or pond which is the source at any time during the year of water used for human consumption or who deposits refuse garbage or any other foreign substances in such waters shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of three hundred dollars (\$300) or to undergo imprisonment for six (6) months or both

Section 2 Upon application of the Department of Health or any person particularly aggrieved the court of common pleas of any county sitting in equity may by injunction enforce the compliance with or restrain the violation of section 1 of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON SENATE BILL No. 796

Mr. WALKER. Mr. President, I move that the Senate



adopt the report of the Committee of Conference on Senate Bill No. 796.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Stevenson,	Taylor,
Barr,	Holland,	McPherson, Jr.	Toole,
Barrett,	Kephart,	Meade,	Wade,
Berger,	Kessler,	Neff,	Wagner,
Blass,	Lane,	Pechan,	Walker,
Byrne,	Leader,	Peelor,	Watkins,
Chapman,	Letzler,	Propert,	Stiefel,
Crowe,	Mahany,	Robinson,	Watson,
Dent,	Mallery,	Rosenfeld,	Wolfe,
Diehm,	McCreesh,	Ruth,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Fread,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### REPORTS FROM COMMITTEES

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on State Government, reported as committed, House Bill No. 1625, entitled:

An Act to add sections 14.1 and 14.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement and making such changes retroactive in certain cases.

Mr. PROPERT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PROPERT, from the Committee on Finance, reported as amended, House Bill No. 1113, entitled:

An Act to further amend Section 17 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distri-

butors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 640, as follows:

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 2 3 and 4 of the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" are hereby amended to read as follows

Section 1 Be it enacted &c That whenever an inmate of the Pennsylvania Industrial [Reformatory at Huntingdon] School at Camp Hill Cumberland County Pennsylvania shall be paroled and thereafter when on his parole shall in any manner violate the same and be declared a delinquent by the Board of [Managers of said reformatory] Trustees thereof he shall be liable to arrest and return at any time and upon his return be required to serve the unexpired term of his possible maximum sentence at the discretion of the Board of [Managers] Trustees and the time from the date of his declared delinquency to the date of his return to the said [Reformatory] Industrial School shall not be counted as any part or portion of such sentence

Section 2 Whenever any such paroled inmate shall [as aforesaid] so violate his said parole and be declared a delinquent by the said Board of [Managers] Trustees it shall be lawful for the president of the Board of [Managers] Trustees of the said [Reformatory] Industrial School to issue his warrant to detective or person authorized by law to execute criminal process whose duty it shall be to arrest and deliver such paroled prisoner to the [Reformatory at Huntingdon] Industrial School the cost of executing such warrant and delivering the prisoner to the said [Reformatory] School to be paid by the Board of [Managers] Trustees

Section 3 Whenever any inmate of the said Industrial [Reformatory] School shall violate his parole and go into any other State it shall be the duty of the Governor of the Commonwealth to issue his requisition for the return of such paroled inmate as being a fugitive from justice

Section 4 Whenever any paroled inmate of the said Industrial [Reformatory] School shall violate his parole and be returned to the institution the time when he was on parole may in the discretion of the Board of [Managers] Trustees be added to the maximum sentence which he could be required to serve and in their discretion the said paroled inmate may be compelled to serve in addition to the maximum sentence a period of time equal to the time that he was on parole

Section 2 Section 5 of said act as amended by the act

approved the twenty-eighth day of April one thousand eight hundred ninety-nine (P. L. 73) is hereby further amended to read as follows

Section 5 If any inmate should escape from the said Industrial [Reformatory] School or from a keeper or any officer having him in charge or from his place of work while engaged in working outside of the walls the inmate so escaping shall be deemed and taken to have committed an escape or breach of prison and shall be subject to like penalties as are now provided by law for an escape or breach of prison and may be punished accordingly or the board of [Managers] Trustees may in their discretion add to his maximum sentence upon his return to the [Reformatory] School the time which said escaped inmate may be at large and in their discretion such escaped inmates may be required to serve in addition to his maximum sentence a further period of time equal to the time that he was at large

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 871, on third reading, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1141, as follows:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty-nine thousand four hundred dollars (\$59,400) is hereby specifically appropriated to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of maintenance and the purchase of supplies and equipment to be paid according to law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1143, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boys' Dormitory

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars (\$75,000) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School at Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boys' Dormitory

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,



Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1144, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million three hundred ninety-six thousand dollars (\$3,396,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred fifty-one for the general maintenance of the University of Pittsburgh the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university including maintenance of teaching facilities in hospitals for students of the School of Medicine of the university including the Maternity Dispensary and other dispensaries

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1146, as follows:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-two thousand nine hundred dollars (\$42,900) or as much thereof as may be necessary is hereby appropriated to the Berean Manual Training School at Philadelphia Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of the maintenance of said school and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the school

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1147, as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty thousand dollars (\$130,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred fifty-one for aid to free public non-sectarian libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1208)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,

Diehm, DiSilvestro, Fleming, Freed	McCreesh, McGinnis, McMenamin,	Silvert, Snowden, Stevenson,	Wood, Yosko, Hare, Presiding Officer
---	--------------------------------------	------------------------------------	---

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1148, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand fifty dollars (\$50,050) is hereby specifically appropriated to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one Provided That in such school there shall be maintained a free one-year scholarship annually for one pupil of each senatorial district in the State to be filled by appointment of the Senator of each such district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane, Barr, Barrett, Berger, Blass, Byrne, Chapman, Crowe, Dent, Diehm, DiSilvestro, Fleming, Freed,	Haluska, Holland, Kephart, Kessler, Lane, Leader, Letzler, Mahany, Mallery, McCreesh, McGinnis, McMenamin,	McPherson, Jr., Meade, Neff, Pechan, Peelor, Propert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Stiefel, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, Yosko, Hare, Presiding Officer
--	---	--	--

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1150, as follows:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-six thousand five hundred dollars (\$126,500) is hereby specifically appropriated to the Philadelphia Textile Institute of Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane, Barr, Barrett, Berger, Blass, Byrne, Chapman, Crowe, Dent, Diehm, DiSilvestro, Fleming, Freed	Haluska, Holland, Kephart, Kessler, Lane, Leader, Letzler, Mahany, Mallery, McCreesh, McGinnis, McMenamin,	McPherson, Jr., Meade, Neff, Pechan, Peelor, Propert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Stiefel, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, Yosko, Hare, Presiding Officer
---	---	--	--

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1165, as follows:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses in continuing the development of the Independence Mall in Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million dollars (\$2,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of expenses incurred in acquisition by purchase or condemnation of properties demolition of buildings and other expenses incident to continuing the development of the Independence Mall in Philadelphia

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane, Barr, Barrett, Berger, Blass, Byrne, Chapman, Crowe, Dent, Diehm, DiSilvestro, Fleming, Freed,	Haluska, Holland, Kephart, Kessler, Lane, Leader, Letzler, Mahany, Mallery, McCreesh, McGinnis, McMenamin,	McPherson, Jr., Meade, Neff, Pechan, Peelor, Propert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Stiefel, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, Yosko, Hare, Presiding Officer
--	---	--	--

## NAYS—0



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1178, as follows:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-six thousand dollars (\$46,000) is hereby specifically appropriated to the Board of Trustees of the Philadelphia Museum Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed.			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1188, as follows:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars (\$300,000) or as much thereof as may be necessary is hereby specifically appropriated to the Womens' Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania for the support and promotion of medical education for the fiscal biennium beginning the first day of June one thousand nine hundred fifty-one to be paid according to law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed.			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1217, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four million one hundred seven thousand four hundred fifty dollars (\$4,107,450) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed.			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1422, as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen million nine hundred ninety-three thousand two hundred dollars (\$15,993,200.00) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred and fifty-one to be by it paid to the hospitals hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such hospitals in the manner prescribed by law at the rate of six dollars and fifty cents (\$6.50) per diem but not to exceed the regularly established ward rate or any reduced rate for the medical and surgical services rendered to and maintenance of persons treated in such hospitals who are entitled to free service and for each day of part pay service such proportion of six dollars and fifty cents (\$6.50) per diem rate or the regular ward rate if less or any reduced rate as part of regular ward rate or any reduced rate which is less than the regular ward rate which the person treated is not able to pay bears to the regular ward rate or reduced rate for free service except that no hospital shall receive compensation exceeding the actual cost of service per capita in its public ward

Abington Memorial Hospital .....	\$134,000.00
Adrian Hospital Association .....	58,000.00
Allegheny General Hospital .....	302,000.00
Allegheny Valley Hospital .....	60,000.00
Allentown Hospital .....	260,000.00
Altoona Hospital .....	114,000.00
American Hospital for Diseases of the Stomach .....	12,000.00
American Oncologic Hospital .....	30,600.00
Armstrong County Hospital .....	22,000.00
Atkinson Clement Memorial Hospital .....	14,000.00
Barnes Simon H Memorial Hospital .....	10,800.00
Beaver Valley General Hospital .....	24,600.00
Bedford Community Hospital .....	6,000.00
Belvedere General Hospital .....	6,400.00
Berwick Hospital .....	30,000.00
Black F M Community Hospital .....	16,000.00
Blair J C Memorial Hospital .....	60,000.00
Bloomsburg Hospital .....	56,400.00
Braddock General Hospital .....	67,600.00
Bradford Hospital .....	58,000.00
Brookville Hospital .....	27,000.00
Brownsville General Hospital .....	40,000.00
Bryn Mawr Hospital .....	110,000.00
Butler County Memorial Hospital .....	62,600.00
Canonsburg General Hospital .....	25,000.00
Carbondale General Hospital .....	46,000.00
Carlisle Hospital .....	49,600.00
Centre County Hospital .....	42,000.00
Chambersburg Hospital .....	48,000.00
Charleoi-Monessen Hospital .....	43,000.00
Chester County Hospital .....	102,000.00
Chester Hospital .....	150,000.00
Chestnut Hill Hospital .....	46,000.00
Children's Heart Hospital .....	42,000.00
Children's Hospital of Philadelphia .....	162,000.00
Children's Hospital of Pittsburgh .....	166,000.00
Citizens General Hospital .....	62,600.00
Clearfield Hospital .....	72,000.00
Coatesville Hospital .....	72,000.00
Columbia Hospital Columbia .....	20,000.00
Columbia Hospital Wilkinsburg .....	40,000.00
Community General Hospital .....	112,000.00
Community Hospital Kane .....	13,600.00
Conemaugh Valley Hospital .....	188,000.00
Corry Hospital Association .....	14,600.00
Cozier J Lewis Hospital .....	20,000.00
Delaware County Hospital .....	36,000.00

Devitt's Camp Inc for treatment of Tuberculosis .....	5,000.00
Eaglesville Sanatorium .....	212,000.00
Easton Hospital .....	115,000.00
Elizabeth Steel Magee Hospital .....	194,000.00
Elk County General Hospital .....	24,000.00
Ellwood City Hospital .....	18,000.00
Elm Terrace Hospital .....	7,600.00
Ephrata Community Hospital .....	10,000.00
Episcopal Hospital Philadelphia .....	180,000.00
Evangelical Community Hospital Lewisburg .....	8,000.00
Eye and Ear Hospital .....	42,000.00
Frankford Hospital .....	108,000.00
Franklin City Hospital .....	30,800.00
Frick Henry Clay Memorial Hospital .....	31,600.00
Fulton County Medical Centre .....	2,400.00
Geisinger G F Memorial Hospital .....	100,000.00
General Hospital of Monroe County .....	42,000.00
Germantown Dispensary and Hospital .....	318,000.00
Gnaden Huetten Memorial Hospital Lehigh-ton .....	6,000.00
Good Samaritan Hospital .....	94,000.00
Grandview Hospital Sellersville .....	26,000.00
Greene County Memorial Hospital .....	36,000.00
Greenville Hospital .....	12,000.00
Grove City Hospital .....	9,000.00
Hahnemann Hospital Philadelphia .....	380,000.00
Hahnemann Hospital Scranton .....	84,000.00
Hamot Hospital Association .....	190,000.00
Hanover General Hospital .....	28,600.00
Harrisburg Hospital .....	214,000.00
Harrisburg Polyclinic Hospital .....	152,000.00
Homestead Hospital .....	74,000.00
Indiana Hospital .....	80,000.00
Jameson Memorial Hospital .....	36,000.00
Jefferson Medical College Hospital .....	530,000.00
Jefferson Hospital (Barton Clinic) .....	28,000.00
Jersey Shore Hospital .....	12,000.00
Kane Summit Hospital Association .....	8,600.00
Lancaster County Tuberculosis Society Rossmere .....	88,600.00
Lancaster General Hospital .....	145,000.00
Lancaster Osteopathic Hospital Association .....	5,600.00
Lankenau Hospital .....	74,000.00
Latrobe Hospital .....	56,000.00
Lee Homeopathic Hospital .....	40,000.00
Lewistown Hospital .....	108,000.00
Lock Haven Hospital .....	74,000.00
Lying-In Charity Hospital .....	102,000.00
Maple Avenue Hospital Association DuBois .....	28,600.00
Maternity Hospital Philadelphia .....	54,000.00
McKeesport Hospital .....	152,000.00
Meadville City Hospital .....	52,000.00
Memorial Hospital Association Monongahela City .....	18,000.00
Memorial Hospital of Chester County .....	47,000.00
Memorial Hospital of Roxborough .....	58,000.00
Memorial Hospital of Pottstown .....	28,000.00
Mercy Hospital Altoona .....	62,000.00
Mercy Douglas Hospital .....	180,000.00
Mercy Hospital Wilkes-Barre .....	148,000.00
Meyersdale Community Hospital .....	3,000.00
Mid-Valley Hospital Blakely .....	48,000.00
Milliken A C Hospital Pottsville .....	66,000.00
Miners' Hospital of Northern Cambria .....	88,000.00
Montefiore Hospital .....	148,000.00
Montgomery Hospital Norristown .....	77,000.00
Mount Sinai Hospital .....	198,000.00
Nason Hospital Association .....	49,600.00
Northern Liberties Hospital .....	36,000.00
Northeastern Hospital of Philadelphia .....	52,000.00
Northwestern General Hospital .....	36,000.00
Oakbourne Colony Hospital .....	82,000.00
Ohio Valley General Hospital .....	30,000.00
Oil City Hospital .....	46,000.00
Osteopathic Hospital of Philadelphia (48th and Spruce Streets) .....	13,600.00



Osteopathic Hospital of Philadelphia (20th and Susquehanna Streets) .....	60,000.00
Packer Robert Hospital .....	236,000.00
Passavant Hospital .....	70,000.00
Pennsylvania Hospital of Philadelphia (Contributors) .....	316,000.00
Phoenixville Hospital .....	32,000.00
Pittsburgh Hospital Association .....	132,000.00
Pittston Hospital Association .....	88,000.00
Port Allegheny Hospital .....	4,800.00
Potter County Memorial Hospital .....	8,600.00
Pottstown Hospital .....	42,800.00
Pottsville Hospital .....	148,000.00
Presbyterian Hospital .....	120,000.00
Providence Hospital of Beaver County .....	27,000.00
Quakertown Hospital Association .....	22,000.00
Reading Hospital .....	200,000.00
Renovo Hospital .....	18,000.00
Rochester General Hospital .....	64,800.00
Rush Hospital for Consumptives .....	146,000.00
Saint Christopher's Hospital for Children ..	120,000.00
Saint Francis Hospital .....	278,000.00
Saint John's General Hospital .....	90,000.00
Saint Joseph's Hospital Carbondale .....	47,600.00
Saint Joseph's Hospital Reading .....	90,000.00
Saint Luke's Hospital South Bethlehem .....	184,000.00
Saint Luke's & Children's Medical Centre ...	150,000.00
Saint Vincent's Hospital Association .....	186,000.00
Sewickley Hospital .....	36,800.00
Shady Side Hospital .....	145,000.00
Sharon General Hospital .....	70,000.00
Somerset Community Hospital .....	35,000.00
South Side Hospital .....	134,000.00
Spencer Hospital Meadville .....	60,000.00
Stetson Hospital .....	24,600.00
Suburban General Hospital .....	28,000.00
Sunbury Community Hospital .....	60,000.00
Taylor Hospital Association .....	58,000.00
Taylor Hospital Ridley Park .....	30,000.00
Temple University Hospital .....	400,000.00
Titusville Hospital .....	18,000.00
Tuberculosis League of Pittsburgh .....	152,000.00
Tyler Memorial Hospital .....	5,600.00
Uniontown Hospital .....	122,000.00
University of Pennsylvania Hospital .....	448,000.00
University of Pennsylvania Graduate Hospital	276,000.00
Warner Annie M Hospital Gettysburg .....	26,000.00
Warren General Hospital .....	52,000.00
Washington Hospital .....	86,000.00
Wayne County Memorial Hospital Honesdale	13,000.00
Waynesboro Hospital .....	29,600.00
Western Pennsylvania Hospital .....	266,000.00
Westmoreland Hospital Association .....	100,000.00
West Side Hospital Association Scranton ...	102,000.00
West Side Osteopathic Hospital of York Pennsylvania .....	4,000.00
Wilkes-Barre General Hospital .....	306,000.00
Williamsport Hospital .....	184,000.00
Wills Hospital Philadelphia .....	170,000.00
Women's Hospital of Philadelphia .....	116,000.00
Women's Hospital Pittsburgh .....	22,000.00
Women's Medical College Hospital Philadelphia .....	126,000.00
Wyoming Valley Homeopathic Hospital	
Wilkes-Barre .....	84,000.00
York Hospital .....	187,000.00
Zem Zem Hospital for Crippled Children Erie	40,000.00
Muncy Valley Hospital .....	4,000.00
	\$15,993,200.00

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel.
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blasa,	Lane,	Peeler,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1423, as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred twenty-three thousand nine hundred twenty-five dollars (\$623,925.00) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred fifty-one to be by it paid to the homes hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such homes in the manner prescribed by law

Aged Colored Women's Home Williamsport..	\$ 825.00
Allegheny Temporary Home for Children N S Pittsburgh .....	4,400.00
Almira Home Association New Castle .....	7,500.00
Beaver County Children's Home New Brighton .....	6,600.00
Benevolent Association Home for Children Pottsville .....	3,600.00
Boy's Industrial Home Oakdale .....	16,000.00
Chester Day Nursery and Children's Boarding Home .....	1,500.00
Children's Aid Society of Franklin County Chambersburg .....	3,000.00
Children's Aid Society of Pennsylvania Philadelphia .....	68,000.00
Children's Aid Society of Western Pennsylvania Pittsburgh .....	26,000.00
Children's Home of Bradford .....	3,500.00
Children's Home of Easton .....	11,000.00
Children's Home of York .....	6,000.00
Children's Home of Bethlehem and Allentown .....	7,000.00
Children's Home of Harrisburg .....	18,500.00
Christian Home of Johnstown .....	5,500.00
Children's Home of Reading .....	2,000.00
Colored Children's Bureau Philadelphia ....	16,000.00
Colored Women's Relief Association of Western Pennsylvania .....	3,000.00
Curtis Home for Girls Pittsburgh .....	6,600.00
Erie Infants Home and Hospital .....	3,000.00
Florence Crittenton Home Erie .....	1,400.00
Florence Crittenton Home Philadelphia ....	3,000.00
Florence Crittenton Home Williamsport ....	1,200.00
Friend's Home for Children Secane .....	3,600.00
Friendship House Scranton .....	15,000.00
George Junior Republic Association Grove City .....	28,000.00
Home for Aged Philadelphia .....	7,200.00
Home for Aged Infirm Women Easton .....	7,000.00

Home for Aged Infirm Colored Women Pittsburgh .....	3,200.00
Home for Colored Children Pittsburgh .....	1,800.00
Home of Industry for Discharged Prisoners Philadelphia .....	5,500.00
Home for Veterans of GAR and Wives Philadelphia .....	17,000.00
Home for Widows and Single Women Lebanon .....	2,000.00
Home for Widows and Single Women Reading .....	5,000.00
Industrial Home for Crippled Children Pittsburgh .....	26,000.00
Ladies GAR Home Swissvale .....	28,000.00
Margaret Henry Children's Home New Castle .....	2,000.00
Meadville Children's Aid Society and Home for Aged .....	8,000.00
Nazarene Home for Aged Philadelphia .....	6,000.00
Northern Home for Friendless Children Philadelphia .....	25,000.00
Northern Tier Home Harrison Valley .....	4,000.00
Pennsylvania Memorial Home Brookville ..	12,000.00
Pennsylvania Association for the Blind Harrisburg .....	48,000.00
Pennsylvania Society to Protect Children from Cruelty Philadelphia .....	5,000.00
Pennsylvania Working Home for the Blind Philadelphia .....	36,000.00
Pittsburgh Home for Babies Pittsburgh .....	14,600.00
Pittsburgh and Allegheny Home for Children .....	5,000.00
Sarah A Reed Home Erie .....	12,000.00
Seamen's Church Institute Philadelphia ..	21,000.00
Tabor Home for Children Doylestown .....	9,500.00
Tilden Home for Aged Couples Philadelphia ..	3,500.00
United Charities Home for Children Hazleton ..	3,500.00
Union Home for Old Ladies Philadelphia ..	6,000.00
Westmoreland County Children's Aid Society Greensburg .....	13,500.00
Williamsport Home .....	12,000.00
York County Blind Center York .....	1,500.00
Zoar Home for Mothers Babies and Convalescents Allison Park .....	1,400.00
	<b>\$623,925.00</b>

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1488, as follows:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-one thousand dollars (\$31,000) or as much thereof as may be necessary is hereby specifically appropriated to the Brandywine Battlefield Park Commission for the two fiscal years beginning June first one thousand nine hundred fifty-one for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission and to maintain the lands or structures acquired under the provision of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1293 Act No 517)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1494, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million five hundred thousand dollars (\$2,500,000) or so much thereof as may be necessary is hereby appropriated to the Trustees of the University of Pittsburgh for the two fiscal year beginning June first one thousand nine hundred fifty-one for the general maintenance and operation of the Western Psychiatric Institute and Clinic by the University of Pittsburgh and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the purposes of the Institute and Clinic which purposes shall include the teaching of personnel for the staffs of the various mental institutions of the Commonwealth and the conduct of research in the treatment prevention and cause of the various types of nervous disorders and mental diseases in compliance with an act of the General Assembly approved May 20 1949 (P. L. 1643 Act No 496) providing for the lease of the Western State Psychiatric Institute and Clinic to the University of Pittsburgh



And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Laie,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freud			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1497, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes adding and changing penalties and providing for commitment of mentally ill persons to veterans administration or other agency of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 102 201 211 212 221 subsections (a) (d) and (e) of Section 222 subsection (b) of Section 225 and Section 226 of the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

#### Section 102 Definitions

As used in this act unless the context clearly indicates otherwise the following words and phrases shall have the following meanings

(1) "Care" shall include reception detention transfer [parole] leave of absence discharge custody care treatment maintenance support segregation education culture training discipline improvement rehabilitation occupation employment medical and surgical treatment and nursing food and clothing

(2) "Court" shall mean the court of common pleas or other court of record having jurisdiction or law judge thereof of the county in which the patient is or resides

(3) ["Criminal" shall mean any person who has been convicted on a criminal charge and whose period of sentence has not expired or who has a criminal tendency]

"Psychiatrist" shall mean a qualified physician who by a minimum of five (5) years of training and experience has acquired specialized skill and learning in mental and nervous disorders and related conditions and who has thereby achieved professional standing in the medical specialty of psychiatry

(3.1) "Psychologist" shall mean a person who by years of study training and experience has achieved professional recognition and standing in the field of clinical psychology To such qualifications is added any legislative status that may hereafter be enacted This term shall include "public school psychologist"

(4) "Criminal tendency" shall mean a tendency to repeat offenses against the law or to perpetrate new offenses as shown by repeated convictions for such offenses or tendency to habitual delinquency

(5) "Department" shall mean the Department of Welfare or such other department to which its powers and duties relating to mental health may be transferred

(6) "Epileptic" shall mean any person who is or is thought to be suffering from [epilepsy] a primary convulsive disorder or its equivalent manifestation

(7) "Inebriate" shall mean a person who is so habitually addicted to the use of alcoholic or other intoxicating or narcotic substances as to be unable or unwilling to stop the excessive use of such substances without help The term shall include "dipsomaniac" drug addict" and "habitual drunkard"

(8) "Institution" shall mean any State or licensed place public or private for the care of patients The term shall include "mental hospital" "school" "village" and every other place by whatever name called caring for patients whether or not for compensation

(9) "Mental Defective" shall mean a person who is not mentally ill but whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself and his affairs and for whose welfare or that of others care is necessary or advisable The term shall include "feeble-minded" "moron" "idiot" and "imbecile" but shall not include "mental illness" "inebriate" and "senile"

(10) "Mental hospital" shall mean any institution intended primarily for the care of patients who are or are thought to be mentally ill

(11) "Mental illness" shall mean an illness which so lessens the capacity of a person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under care The term shall include "insanity" "unsoundness of mind" "lunacy" "mental disease" "mental disorder" and all other types of mental cases but the term shall not include "mental [defectiveness] deficiency" "epilepsy" "inebriety" or "senility" unless mental illness is superimposed

(12) "Patient" shall mean any [person who is or is thought to be mentally ill mentally defective epileptic or inebriate or for whom admission to an institution is being sought or who is or has been an inmate of an institution The term shall not include a person who is "senile"] individual for whom admission is being sought in or who is under observation care or treatment in an institution pursuant to this act

(13) "Qualified physician" shall mean a physician who has been (1) a resident of Pennsylvania for at least [three years] one year (2) licensed to practice medicine in Pennsylvania and (3) in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution

(14) "School" shall mean any institution for the care of mental defectives or epileptics The term shall include "village" "training school" "colony" or other institution by whatever name called for the care of such patients

(15) "Superintendent" shall mean the [person] physician in charge of the administration of an institution or [person] physician acting as such in his stead or under his direction

(16) "Transfer" shall mean the removal of a patient from one institution to another for the same kind of



patients without other procedure for admission than that prescribed by the department

(17) "Trustees" shall mean the persons organized [to manage and to be responsible for] for the general direction and control of the property and management of an institution. The term shall include "board of trustees" "board of managers" "managers" "directors" "board of directors". The term shall not include "superintendent"

#### Section 201 Places for the Care of Patients

(a) In this Commonwealth patients shall be cared for

(1) In the following [State] institutions

Allentown State Hospital

Danville State Hospital

Farview State Hospital

Harrisburg State Hospital

Norristown State Hospital

Warren State Hospital

Wernersville State Hospital

Torrance State Hospital

Laurelton State Village

Pennhurst State School

Polk State School

Selinsgrove State Colony for Epileptics

Western [State] Psychiatric Institute & Clinic

[Clark's] Clarks Summit State Hospital

Dixmont State Hospital

Embreeville State Hospital

Hollidaysburg State Hospital

Philadelphia State Hospital

Retreat State Hospital

Somerset State Hospital

Woodville State Hospital

Mayview State Hospital

Eastern Pennsylvania Psychiatric Institute

(2) In such other institutions as may be taken over or created by the Commonwealth

(3) In such institutions as shall have procured licenses from the department in accordance with the provisions of this act

(b) The authorities of general hospitals may set apart establish and maintain beds wards or departments for the temporary care of patients upon procuring licenses from the department in accordance with the provisions of this act and under such conditions as may be approved by the department

#### Section 211 License Required Penalty

(a) No person partnership association business corporation non-profit corporation or any group of individuals however organized shall operate on and after the effective date of this act any institution other than a State institution for the care of patients without having first procured from the department in accordance with the provisions of this act an annual license to operate such institution

(b) Any person partnership association business corporation or nonprofit corporation or any partner director officer or agent thereof who violates the provisions of this section shall upon summary conviction thereof be sentenced to pay a fine not to exceed one [hundred dollars (\$100)] thousand dollars (\$1000) or to undergo imprisonment not exceeding one year or both

#### Section 212 Application for and Grant of License

(a) Every person other than a State institution desiring to operate an institution shall annually file with the department an application for a license

(b) The application shall be on a form prescribed prepared and furnished by the department and together with such information as the department requires shall state

(1) The name and address of the applicant and of the trustees and superintendent of the institution and the names and addresses of all the partners or officers of a partnership or association or corporation together with the address of the principal office and state of registration organization or incorporation

(2) The location of the institution

(3) The facilities of the institution for the care of patients including sanitary and fire protection facilities

(c) Upon receipt of an application for a license the department shall make a thorough investigation of the

character financial responsibility and qualifications of the applicant if the applicant is a partnership association or corporation of the officers or partners as the case may be of the trustees and superintendent of the institution the adequacy of the facilities of the institution to furnish the type of care and service specified in the application the sanitary and fire protection facilities and any other matter or thing which the department deems proper

(d) If satisfied that the applicant is qualified and responsible and that the place sought to be used as an institution is a suitable place for the care of patients and is properly equipped therefor the department shall issue a license to the applicant upon the payment of a license fee of [fifteen dollars (\$15)] fifty dollars (\$50) which shall be paid into the State Treasury through the Department of Revenue which fee shall not be required in the licensure of governmental public institutions and nonprofit institutions

(e) No person who because of inability to satisfy the character requirements deemed necessary by the department has been refused a license shall thereafter be in any way connected with any private nursing home private home for aged persons or any private hospital licensed pursuant to the provisions of this act

#### Section 221 Outpatient and Psychiatric Clinical Services

To promote prevention early recognition and treatment of mental illness mental defect epilepsy and inebriety the department may establish extend operate maintain and provide outpatient services in conjunction with State institutions and separate psychiatric clinical services and may fix and establish charges for such services

#### Section 222 Relocation and Establishment of Additional Institutions

(a) The department may recommend to the Governor the establishment of new institutions for the care of persons afflicted with any mental illness mental defect inebriety or epilepsy or the relocation of present institutions under the supervision of the department where it appears that a present institution is no longer fit for use or for reconstruction and that the conditions of its water supply sewerage location or environment justify its abandonment

\* \* \* \* \*

(d) Upon completion of the institution it shall be administered by the same board of trustees as was appointed for the institution which was relocated [or in the case of a new institution by a board of trustees which shall be appointed and organized which shall conduct its affairs in accordance with the provisions of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) known as The Administrative Code of 1929 and its amendments] The name for any new institution shall be selected by the department with the Governor's approval and shall be indicative of the political subdivision in or near such institution is located

(e) Admissions and commitments to any institution established or relocated under the provisions of this section and transfer release discharge or [parole] leave of absence therefrom shall be as provided in this act

\* \* \* \* \*

#### Section 225 Management of Institutions Taken over from Political Subdivisions

\* \* \* \* \*

(b) All patients in any institution at the time the management and operation thereof was assumed by the department shall have the same status as if originally committed or admitted to a State institution. Commitments may be made to any such institution patients may be cared for therein and transfers may be made therefrom and thereto in the same manner and in accordance with provisions of this act applying to other similar State institutions. The department shall have power to designate the counties or parts thereof of the Commonwealth from which commitments may be made to each institution

#### Section 226 Qualifications etc of Superintendents

[(a)] The superintendent of every State institution shall be a physician with at least seven years training or experience or both in the care of patients in institutions



for the care of female patients the superintendent shall be a woman

[(b) When adequate housing facilities exist at a State institution the superintendent shall reside there if he has a family they may reside with him In either case the cost of maintaining the residence shall be assumed by the institution]

Section 2 Section 227 of said act is hereby repealed

Section 3 Section 230 of said act is hereby amended to read as follows

Section 230 Purposes of State Institutions

(a) The department shall determine and designate the type of patients to be admitted to and cared for in all State institutions except as otherwise provided in this section

(b) The Farview State Hospital shall be exclusively devoted to the care of [criminal] patients convicted of crime or with criminal tendencies

(c) The Polk and Pennhurst State [School] Schools shall be exclusively devoted to the care of [mentally deficient and epileptic children] mental defectives of all ages and shall provide separate classification for the various grades of patients

[(d) The Pennhurst State School shall be exclusively devoted to the care of mental defectives and epileptics of all ages and shall provide separate classification for the various grades of patients]

(e) The Laurelton State Village shall be exclusively devoted to the care of mentally deficient women of child-bearing age and shall provide separate classification for the various grades of patients

(f) The Selinsgrove State Colony for Epileptics shall be devoted exclusively to the care of epileptics

(g) The Western [State] Psychiatric Institute and Clinic and the Eastern Pennsylvania Psychiatric Institute shall be devoted to study and research into the causes treatment prevention and care of the various types of nervous disorders mental illness mental defects and epilepsy In furtherance of such purposes they shall

(1) Provide both undergraduate and graduate students studying to become general medical practitioners with a technical background of training in mental illness

(2) Provide regular courses of study for personnel of State institutions

(3) Deal with the mental hygiene of the normal child in the way of study and training

(4) [Focus their activities on] Study the problems of administering mental institutions and a Commonwealth mental health program and (5) Train and teach nurses and other personnel necessary in the care and prevention of mental illness mental defect and epilepsy

Section 4 Section 231 of said act is hereby repealed

Section 5 Section 301 of said act is hereby amended to read as follows

Section 301 Application for Voluntary Admission

(a) Application for voluntary admission as a patient may be made

(1) By any person thought to be mentally ill to the superintendent of any mental hospital

(2) By any epileptic twenty-one years of age or older to the superintendent of any school or institution for the care of epileptics

(3) By any inebriate to the superintendent of any mental hospital institution for the care of inebriates or any general hospital maintaining a [psychopathic] psychiatric department or ward

(b) Every such application shall be in writing and signed by the applicant in the presence of at least one witness

Section 6 Section 303 of said act is hereby repealed

Section 7 Subsection (b) of Section 304 subsections (d) and (e) of Section 311 and Sections 312 314 and 315 of said act are hereby amended to read as follows

Section 304 Limits of Detention of Voluntary Patients Notice to Relatives etc

\* \* \* \* \*

(b) In any case where the superintendent finds it inadvisable to discharge a person thought to be mentally ill he shall notify the patient's friends relatives or other

persons liable for his support or the institution district of the person's residence

Section 311 Admission by Superintendent on Application of Relative etc and Physician's Certificate

\* \* \* \* \*

(d) Every application shall be accompanied by the certificate of one qualified physician in the case of a mental defective or epileptic and two qualified physicians in the case of a person thought to be mentally ill The certificate shall not authorize the admission of the patient unless he shall be admitted within [two weeks of the date thereof] thirty days of the date of the first certifying examination in the case of mental illness or within six months of the date thereof in the case of mental deficiency or epilepsy

(e) [In the case of a person thought to be mentally ill such] Every application and certificate shall be sworn to or affirmed before a person authorized to administer an oath in the Commonwealth who shall certify to the genuineness of the signatures

\* \* \* \* \*

Section 312 Contents of Physician's Certificate [Penalty for False Statement]

(a) In every qualified physician's certificate required by this act for the admission or commitment of a patient the physician issuing the same shall state

(1) His residence

(2) That he has resided in this State for at least [three years] one year

(3) That he has been licensed to practice medicine in this State

(4) That he has been in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution

(5) That he is not related by blood or marriage to the patient or applicant

(6) That he [is not connected in any way as] has no financial interest in nor is a medical attendant of or otherwise connected in any way with the institution to which application has been made for the admission of the patient

(7) That he has examined the patient with care and diligence within a week of making the certificate

(8) That in his opinion the patient is or is thought to be mentally ill mentally defective inebriate or epileptic or is in need of and will be benefited by care and the admission applied for

(9) The information relative to the patient given him by others and the facts as to the physical and mental condition and the behavior of the patient which he has observed and on which he bases his opinion [and]

(9.1) In the case of mental deficiency the results and conclusions from recognized psychological tests and

(10) Such other information as the particular request for admission or commitment or as the department may require

[(b) Any physician who falsely certifies to the mental illness mental defectiveness inebriety or epilepsy of any person or whose false certificate as to mental illness defectiveness inebriety or epilepsy of any person is proved to be the result of negligence or deficient professional skill or who signs such a certificate for pecuniary reward or promise thereof or other consideration of value or operating to his advantage other than the professional fee usually paid for such service shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed five hundred dollars (\$500) or to imprisonment not to exceed one (1) year or both]

Section 314 Admission for Temporary or Emergency Detention

(a) Application may be made to the superintendent of any mental hospital for admission as a patient for temporary care in the interest of any person who is or is thought to be suffering from mental illness

(b) The application shall be in writing and may be made by a relative legal guardian or friend of the person sought to be admitted It shall be accompanied by the certificate of at least one qualified physician which shall



also state that immediate temporary care in a mental hospital is necessary for the person sought to be admitted by reason of mental illness. Such certificate need not be sworn to or affirmed.

(c) Upon receipt of the application and certificate which he shall retain the superintendent may receive and detain the patient for temporary care for a period of not more than [ten] twenty-one days.

Section 315 Examination Discharge or Further Detention of Person Temporarily Detained

(a) After admitting any person as a patient for temporary care during the [ten] twenty-one day period of detention the superintendent shall examine such patient for further disposition.

(b) If the superintendent finds on such examination that the patient does not require such temporary care he shall either discharge him or notify the applicant for his admission to remove him.

(c) If the superintendent finds on such examination that the patient requires further care he may admit the patient on a voluntary application or he shall notify the applicant to apply for the patient's commitment by application to him or by order of court or to remove the patient or in default thereof he shall notify the institution district of the patient's residence.

Section 8 Sections 316 and 317 of said act are hereby repealed.

Section 9 Subsection (d) of Section 326 subsection (b) of Section 327 Section 328 329 330 and subsection (a) of Section 331 are hereby amended to read as follows:

Section 326 Petition of Commitment

\* \* \* \* \*

(d) Every such petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians except in the case of a mental defective or an epileptic when only one such certificate need be attached.

\* \* \* \* \*

Section 327 Appointment of Commission by Court Powers and Duties of Commission

\* \* \* \* \*

(b) Such commission shall be composed of three persons two qualified physicians and an attorney-at-law who shall prepare and file all necessary notices reports and other papers. Each member of the commission shall receive [the sum of five dollars (\$5) for each day he is necessarily employed in the duty of his appointment. The attorney-at-law member shall prepare and file all necessary notices reports and other papers and shall receive the additional sum of five dollars (\$5) for such services] a fee consistent with the prevailing scale in the county as determined by the court for the time he is necessarily employed in the duty of his appointment.

\* \* \* \* \*

Section 328 Hearings Commitment

(a) Upon receipt of a petition for the commitment of a patient or of the report of a commission if one has been appointed the court may fix a day for a hearing to be held at such place as the court directs. When the hearing is to be held the court shall notify the parties in interest. The court may require the presence of the person sought to be committed and may exclude the public.

[(b) In the case of a petition for the commitment of an inebriate the court shall hold such hearing and shall issue its warrant for his presence before the court.]

(c) If the court approves the report of a commission that the person in question is mentally ill and is a proper subject for admission to a mental hospital or is satisfied that the person sought to be committed is a proper subject for care or that the safety and welfare of the public require such commitment the court shall make an order committing the person to the institution named in the petition and direct his removal thereto by a proper person.

(d) No order shall authorize the commitment of a patient unless he is admitted within [two weeks from its date] thirty days from its date and in the case of a mental defective or an epileptic within six months of its date.

(e) No order shall authorize the commitment of a mental defective inebriate or epileptic unless the super-

intendent or trustees of the institution to which he commitment is to be made shall approve.

(f) The order shall authorize the superintendent to detain the patient until he is removed in accordance with the provisions of this act.

Section 329 Detention of Inebriate

When any inebriate is committed in accordance with this act he shall remain in the institution until the superintendent certifies to the court that care is no longer beneficial or necessary to the inebriate. The court which committed him shall then order his [discharge] release under such supervision and restriction as it may impose. No inebriate shall be detained for a period of more than one year.

Section 330 Detention of Mental Defective After Reaching Majority

When any mentally defective person has been committed to any school by a juvenile court the superintendent shall have the authority to detain such person after he reaches the age of twenty-one years. Thereafter in the discretion of the superintendent such person may be discharged or allowed a leave of absence upon the order of a court of the county in which the commitment was made or on order of the department stating that the condition of the patient has been found by the department to be such as no longer to warrant detention as a mental defective.

Section 331 Disposition of Person Committed for Observation Diagnosis and Treatment

(a) Whenever the court commits a person thought to be mentally ill to a hospital for observation diagnosis and treatment it shall make such commitment for a definite period not to exceed ninety days and with such limitations as it may direct.

\* \* \* \* \*

Section 10 Said act is hereby amended by adding after Section 332 thereof a new section to read as follows:

Section 333 Commitment of Persons Not Charged With a Criminal Offense

A person not charged with a criminal offense who is believed to be mentally ill shall be committed to an institution in accordance with the provisions of this act.

Section 11 The subdivision heading of subdivision (d) subsection (b) of Section 341 Section 342 subsection (c) of Section 343 Sections 344 345 346 347 348 353 355 subsection (d) of Section 401 Sections 403 406 407 501 subsection (b) of Section 503 the first paragraph and clause (4) of Section 601 Sections 603 605 611 subsection (b) of Section 616 and Sections 701 702 and 719 of said act are hereby amended to read as follows:

(d) Commitment of [Criminals and] Persons Convicted or Charged with Crime Etc

Section 341 Commitment of Person Acquitted of Crime Because of Insanity

\* \* \* \* \*

(b) The court before which any such person has been tried may order the commitment of such person to a mental hospital on its own initiative in accordance with the provisions of this act for the commitment of persons who have not been convicted of crime or who have not been charged with crime or upon the report of a commission or for observation diagnosis and treatment [in accordance with the provisions of this act for the commitment of persons who are not criminals or who have not been charged with crime].

Section 342 Commitment of Person Charged with Crime

Whenever any person charged with crime upon production or appearance before the court appears to be mentally ill or in need of care in a mental hospital the court shall designate a responsible person to apply for his commitment or for his commitment for observation treatment and diagnosis by order of such court in accordance with the provisions of this act for the commitment of persons who are not [criminals] convicted of crime or who have not been charged with crime.

Section 343 Commitment of Convicted Person in Lieu of Sentence After Report of Psychiatrist

\* \* \* \* \*



(c) On the report of the examiner that the defendant is so mentally ill or defective that it is advisable for his welfare or the protection of the community that he be committed to other than a penal or correctional institution the court may commit him on a form prescribed by the department to a State institution for the care of such mental cases in lieu of sentence to a penal or correctional institution and direct his detention until further order of the court. If the examiner's report indicates no such mental illness or deficiency he shall be sentenced as in other cases.

#### Section 344 Petition for Commitment of Prisoner or Persons Released on Bail

##### (a) Petition for the commitment of

(1) Any person detained in any penal or correctional institution who is thought to be mentally ill or in such condition that he requires care in a mental hospital or who is thought to be a mental defective [or epileptic]

(2) Any person charged with a crime and released on bail pending trial who is thought to be mentally ill or a mental defective [or epileptic] may be made to the court under the order of which such person is detained or which has jurisdiction of the charge

(b) The application shall be in writing on a form prescribed by the department. It may be made by counsel for the prisoner or the superintendent warden jail physician or other executive officer of the institution in which the person sought to be committed is detained or by any responsible person whether or not he is connected with such institution.

(c) No application shall be made for the commitment of any mental defective convicted of first degree murder.

#### Section 345 Examination of Prisoner etc by Physicians of Commission Hearing Commitment

(a) Upon receipt of an application the court shall order an examination of the person sought to be committed by two qualified physicians or a commission. The physicians or commission shall report to the court on such examination and shall state whether the person is of criminal tendency. The report by physicians shall be by certificate and by a commission as in other cases under this act.

(b) The court may hold a hearing summon other witnesses and secure further evidence subsequent to receipt of the report of such examination.

(c) If the court is satisfied that the person sought to be committed is mentally ill mentally defective or epileptic it shall order the commitment or transfer of such person to a mental hospital or an institution for mental defectives. If the person is undergoing sentence or is found to have a criminal tendency the commitment shall be to a State hospital for the criminal insane. (a) Within ten days of the receipt of an application for commitment the clerk of court shall cause to be served written notice of the filing of the application on the prisoner's counsel if he has any and on his nearest available relative or in the absence of such his nearest available friend and shall endorse on the application the names of those notified. Thereupon the court shall order an examination of the person sought to be committed by two qualified physicians or a commission. Notice of the time and place of the psychiatric examination shall be given to the persons whose names are endorsed on the application by the clerk of court as aforesaid.

(b) If the court is satisfied that the person sought to be committed is mentally ill or mentally defective notice of the fact shall be given to counsel if he has any and to his nearest available relative or in the absence of such his nearest available friend who shall be given opportunity to be heard.

(c) If no hearing is requested by those notified as aforesaid the court may nevertheless hold a hearing summon other witnesses and secure further evidence subsequent to receipt of the report of such examination.

(b) If the court is satisfied that the person sought to be committed is mentally ill or mentally defective it shall order the commitment or transfer of such person to a mental hospital or an institution for mental defectives. If

the person is undergoing sentence or is found to have a criminal tendency the commitment shall be to a State hospital for patients convicted of crime charged with crime or with criminal tendencies.

#### Section 346 Deportation of [Criminals] Persons Convicted of Crime

Whenever any person is detained in a mental hospital after having been charged with or convicted of crime and is subject to deportation from the Commonwealth under the laws of the United States the court committing such person to the mental hospital upon the petition of the superintendent of such hospital or the department may enter an order directed to the superintendent to release such person from detention into the custody of an agent of the United States for the purposes of deportation.

#### Section 347 Effect of Commitment on Pending Criminal Proceedings

If any person is committed while awaiting indictment or trial or has been arraigned or is being tried proceedings against him shall be stayed until his recovery or sufficient improvement of condition. Upon his recovery or sufficient improvement of condition if he was previously confined in a penal or correctional institution he shall be returned upon proper order of the court to the penal or correctional institution from which he was transferred for the disposition of the charges against him. If he was committed before trial he shall be returned to the court having jurisdiction of him for trial or such other disposition of such charges as the court may make.

#### Section 348 Effect of Commitment on [Criminal] Person Convicted of Crime Serving Sentence

(a) If the person committed is a convict serving sentence the time during which he is committed as a patient shall be computed as part of the term for which he was sentenced.

(b) If the person committed is a convict serving sentence and such sentence expires before his recovery or sufficient improvement of condition the department may transfer him to any other institution for care until his recovery or sufficient improvement of condition when he shall be discharged.

(c) If the person committed is a convict serving sentence and recovers or sufficient improvement in condition results before the expiration of his sentence or is found after observation not to be mentally ill mentally defective or epileptic the superintendent of the institution to which he has been committed shall certify such fact to the committing court and he shall be returned on the order of such court to the penal or correctional institution from which he was transferred.

#### Section 353 [Commitment of Veteran to United States Veterans' Hospital]

Whenever it appears that any person sought to be committed is (1) mentally ill or mentally defective (2) a veteran of any war military occupation or expedition (3) eligible for treatment in a United States Veterans' Hospital and (4) commitment to such hospital is necessary for his proper care the court may commit him to a United States Veterans' Hospital upon receipt of a certificate of eligibility from the United States Veterans' Administration commitment to veterans administration or other agency of the United States Government.

(a) Whenever in any proceeding under the laws of this state for the commitment of a person alleged to be of unsound mind or otherwise in need of confinement in a hospital or other institution for his proper care it is determined that commitment to a hospital for mental illness or other institution is necessary for safekeeping or treatment and it appears that such person is eligible for care or treatment by the veterans administration or other agency of the United States Government upon receipt of a certificate from the veterans administration or such other agency showing that facilities are available and that person is eligible for care or treatment therein such person may be committed to said veterans administration or other agency upon commitment such person when admitted to any facility operated by any such agency within or without this state in accordance with the needs of the veteran.



shall be subject to the rules and regulations of the veterans administration or other agency the chief officer of any facility of the veterans administration or institution operated by any other agency of the United States to which the person is so committed shall with respect to such person be vested with the same powers as superintendents of state hospitals for mental illness within this state with respect to retention of custody transfer leave of absence or discharge jurisdiction is retained in the court of this state at any time to inquire into the mental condition of the person so committed and to determine the necessity for the continuance of his restraint

(b) The judgment or order of commitment by a court of competent jurisdiction of another state or of the District of Columbia committing a person to the veterans administration or other agency of the United States Government for care or treatment shall have the same force and effect as to the committed person while in this state as in the jurisdiction in which is situated the court entering the judgment or making the order and the courts of the committing state or of the District of Columbia shall be deemed to have retained jurisdiction of the person so committed for the purpose of inquiring into the mental condition of such person and of determining the necessity for the continuance of his restraint as provided in subsection (a) of this section with respect to persons committed by the courts of this state consent is hereby given to the application of the law of the committing state or district in respect to the authority of the chief officer of any facility of the veterans administration or of any other institution operated in this state by any other agency of the United States to retain custody or transfer leave of absence or discharge the committed person

(c) Upon receipt of a certificate of the veterans administration or such other agency of the United States that facilities are available for the care or treatment of any person heretofore committed to any hospital for the mentally ill or other institution for the care or treatment of persons similarly afflicted and that such person is eligible for care or treatment the superintendent of the institution may cause the transfer of such person to the veterans administration or other agency of the United States for care or treatment no person shall be transferred to the veterans administration or other agency of the United States if he be confined pursuant to conviction of any felony or misdemeanor or if he had been acquitted of the charge solely on the ground of insanity unless prior to transfer the court or other authority originally committing such person shall enter an order for such transfer after appropriate motion and hearing any person transferred as provided in this section shall be deemed to be committed to the veterans administration or other agency of the United States pursuant to the original commitment

Section 355 When Person Liable for Another's Detention  
No verdict or judgment shall be entered in any action or indictment against any person who is subject to the provisions of this act and who has complied with its requirements for the detention of any person as a patient in any institution [without compliance with this act] unless the court after trial and verdict certifies that there was proof that the person charged acted with gross negligence or corruptly or without reasonable or probable cause or was actuated by motives other than the good of the person restrained

#### Section 401 Transfer from One Institution to Another

\* \* \* \* \*

(d) [A voluntary patient may be transferred only if the patient has consented in writing to such transfer] Voluntary applications are not transferable but such patients may enter another institution by making similar application

\* \* \* \* \*

#### Section 403 Transfer of Patient Requiring Different Care

Whenever the superintendent of any institution finds that any patient therein needs care in an institution for patients of a different kind he shall report the facts relative to the patient to the department The department may order that application be made for the admission of

the patient to any proper institution by any of the procedures provided by this act for admission of patients to such institution No such application shall be completed without notice to the patient's counsel if he is under sentence and has any and to his nearest available relative or friend

#### Section 406 Determination of Residence by Department

Whenever any [indigent] patient is to be returned to the Commonwealth by the proper authorities of another State or whenever any patient is to be transferred by the department from one institution district to another the legal residence of the patient may be determined by the department and the commitment of such person shall be made in accordance with such determination The determination of the department shall be binding unless and until changed by a court of competent jurisdiction

#### Section 407 Transfer of Patient to United States Veterans' Hospital

Any veteran of any war military occupation or expedition who has been committed to an institution within the Commonwealth prior to the passage of this act who is eligible for treatment in a United States Veterans' Hospital and who is actually confined in an institution or on [parole] leave of absence may be transferred to a United States Veterans' Hospital [by order of the superintendent of the institution in which the veteran is confined or] by order of the department if such veteran is on [parole or in either case by order] leave of absence or in either case by order of the court which committed the veteran

#### Section 501 Escapes

[Any patient who escapes from an institution may be apprehended and returned thereto by any sheriff constable or police officer or by any officer or employe of the institution at the expense of the institution] (a) Whenever any patient who may be dangerous to the safety of the public or himself escapes from an institution it shall be the duty of the superintendent to promptly notify the local county and state law enforcement officers

(b) Upon receipt of such notice it shall be the duty of the local county and state law enforcement officers to direct an officer to apprehend the escape If after three months has elapsed the patient has not been apprehended it shall be the duty of the district attorney to promptly file with the Department of Welfare on forms provided for that purpose a statement showing what efforts have been made to apprehend the patient

(c) Any patient who escapes from an institution may be apprehended and returned thereto by any sheriff constable or police officer or by any officer or employe of the institution

#### Section 503 Warrant for Extradition Habeas Corpus Penalty

\* \* \* \* \*

(b) No person so arrested shall be delivered to the agent of another State until he has been brought before a court of record and notified of the demand for his surrender and has had an opportunity to apply for a writ of habeas corpus [if he claims the right of the officer who makes the arrest] If such writ is applied for notice thereof and the time and place of hearing shall be given to the Attorney General or district attorney for the county in which the arrest is made Pending the determination of the court on the application for the writ the person shall be detained in custody in a suitable institution

\* \* \* \* \*

#### Section 601 Discharge by Trustees and Superintendents

[(a)] The trustees of an institution or the superintendent [when given authority by the trustees] may discharge any patient from the institution if in their or his opinion no harm will arise from the action No patient shall be discharged until notice of the action has been given to the Department of Revenue The following patients shall not be discharged

\* \* \* \* \*

(4) A mental defective or inebriate committed by order of court without the recommendation of the chief medical officer in charge and an order of the court or an order of the department stating that the condition of the patient



has been found by the department to be such as no longer to warrant detention as a mental defective or inebriate. The provisions of this clause do not apply to a person discharged by lapse of time from leave of absence or escape or to an inebriate who has been under hospital care for one year

\* \* \* \* \*

#### Section 603 Discharge by Department

The department may in its discretion order and compel the discharge from any institution of any patient except a [criminal] person convicted of crime and under sentence or a person charged with any crime and acquitted on the ground of insanity. Before issuing such order the department shall give due notice to the trustees or superintendent of the institution wherein the patient is under care and to the person at whose instance the said patient is detained and shall give reasonable opportunity to such trustees or superintendent and person to justify further detention of the said patient.

#### Section 605 Discharge by Lapse of Time

(a) Any patient except a [criminal] person convicted of crime and under sentence or one charged with crime and acquitted on the ground of insanity who has been continuously absent with or without leave for a period of twelve months from the institution in which he was under care shall be deemed to be discharged therefrom and cannot be readmitted except as provided by this act for admission or commitment.

(b) The provisions of this section shall not apply to a mental defective or epileptic who is on indefinite leave of absence when away from the institution. Unless formally discharged such mental defective or epileptic may be returned to the institution without a new commitment.

#### Section 611 Leaves of Absence

(a) The superintendent of any institution in his discretion may allow a leave of absence to any patient whose condition is such as to warrant the action for a period not exceeding twelve months and upon such conditions as he may prescribe not inconsistent with the provisions for discharge of patients as provided in this act.

(b) Leaves of absence may be terminated by the superintendent who may if necessary authorize the apprehension and return of the patient by any sheriff constable or police officer who shall apprehend and return the patient.

(c) The superintendent of any institution upon medical revaluation may extend such leave of absence annually not to exceed a total continuous absence of thirty-six months if he finds prior to the expiration of each allowance that the welfare of the patient warrants such action.

(d) The limitations of this section shall not apply to mental defectives or epileptics who may be allowed indefinite leave of absence.

#### Section 616 Boarding Out of Patients

\* \* \* \* \*

(b) Such patients shall be considered remaining inmates of the State institution and shall be considered as on [parole] leave of absence subject to return should the condition of the patient or other circumstances in the opinion of the superintendent and the trustees make such return necessary.

\* \* \* \* \*

#### Section 701 Liability for Costs of Care of Patient

Except as otherwise specifically provided in this act liability for all costs of care of any patient in any State institution is hereby imposed in the following order against

(1) The patient's real and personal property

(2) The persons liable for the patient's support

(3) The Commonwealth or in the case of an inebriate the county or institution district in which he resides.

Section 702 Liability for Costs of Care of Patients Convicted [Criminal Patient] of Crime Undergoing Sentence

(a) Liability for all costs of care of any [convicted criminal] patients convicted of crime undergoing sentence prior to the expiration of the term of such sentence is hereby imposed in the following order against

(1) The county in which such patient was convicted

(2) Such patient's real and personal property

(3) The persons liable for such patient's support

(b) Any county paying any costs may recover the same from the patient's estate or the persons liable for his support but not from the institution district of his residence.

#### Section 719 Patient Detained for Temporary or Emergency Care Payments of Costs

(a) [Costs of admission of any person admitted to an institution for temporary care shall include those for his maintenance during the temporary period and removal if he is removed during the period. The person applying for temporary detention shall be liable for the cost.]

(b) When any patient admitted for temporary care is committed the cost of the commitment shall include the expenses incident to his admission for temporary care. The applicant for the admission of any patient for temporary or emergency care shall be liable for the costs of his admission and of his subsequent commitment if any. Otherwise provisions under Section 718 may be applied.

(b) Where the applicant is liable for the costs of admission for temporary or emergency care such costs shall include those for his maintenance during the temporary period and for removal if he is removed during the period.

Section 12 Section 720 of said act is hereby repealed.

Section 13 Section 737 of said act is hereby amended to read as follows:

#### Section 737 Payment of Traveling Expenses of Certain Patients Discharged

If any patient in an institution is ordered by the department to be discharged and such patient and the persons liable for his support are financially unable to pay the costs relating to discharge the superintendent of the institution shall pay his traveling expenses to his home [The institution shall be reimbursed by the Commonwealth from current appropriations].

Section 14 Section 742 of said act is hereby repealed.

Section 15 Clause (1) (5) and (6) of section 801 of said act are hereby amended to read as follows:

#### Section 801 Rights of Patient

Every patient in any institution shall have the right

(1) To communicate with and to be alone at any interview with his counsel or representative of the department and to send sealed communications to the superintendent the department the court if any which committed him and the Governor.

\* \* \* \* \*

(5) To be furnished with writing materials and reasonable opportunity in the discretion of the superintendent for communicating [under seal] with any person outside of the institution. Communications shall be stamped and mailed.

(6) To be [discharged] released as soon as he is restored to [reason] mental health and competent to manage his own affairs.

\* \* \* \* \*

Section 16 Said act is hereby amended by adding after section 801 thereof a new section to read as follows:

#### Section 801.1 Mechanical Restraints

Mechanical restraints shall not be applied to a patient unless it is determined by the superintendent or his designee to be required by the medical needs of the patient. Every use of mechanical restraint shall be made a part of the clinical record of the patient under the signature of the responsible physician.

Section 17 Sections 802 and 804 of said act are hereby amended to read as follows:

#### Section 802 Habeas Corpus

(a) Any patient or person acting on his behalf may petition any court for a writ of habeas corpus on the grounds that the patient is unjustly deprived of his liberty. The petition shall be in writing and shall be sworn to or affirmed.

(b) On the petition the court shall issue a writ of habeas corpus requiring the patient to be brought before the court for a [public] hearing where the question of his mental illness mental deficiency epilepsy or inebriety may be



determined The burden of proof shall rest upon the persons responsible for his [admission or commitment] continued hospitalization

#### Section 804 Employment of Patients

(a) [All inmates of any institution which is wholly or in part maintained by the Commonwealth may make manufacture or produce supplies manufactured articles goods and products for the institution or for the Commonwealth or for any political subdivision or any State institution or any educational or charitable institution receiving aid from the Commonwealth]

(b) All the manufactured goods manufactured in institutions shall bear a stamp given the full name or title of the institution wherein the goods were manufactured

(c) Supplies manufactured articles goods and products so made manufactured or produced may be sold or exchanged to or with the Commonwealth or any political subdivision or any State institution or any educational or charitable institution receiving aid from the Commonwealth In the case of State institutions the proceeds of any sales of products shall be collected by the Department of Revenue to be by it transmitted to the State Treasurer Each board of trustees shall keep an accurate record of the dates quantities and prices of all sales made hereunder which record shall at all times be subject to examination and audit by the Auditor General

(d) Any trustee or superintendent or other person connected with the management or control of any institution who violates any of the provisions of this section by permitting any supplies manufactured articles goods or products to be sold or exchanged in any other way except as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500) All able-bodied patients of any institution which is wholly or in part maintained by the Commonwealth shall be given opportunity to participate in gainful occupational activities for purposes of rehabilitation of their physical and mental health These activities may include employment without formal compensation in the maintenance of the institution but in any care under medical selection and supervision

(b) Participation of patients in institutional industrial employment shall not exceed the customary number of hours required for similar employment in the local community

(c) Occupational therapy workshops shall be provided for patients apart from those shops required for institutional maintenance

(d) Appropriate educational facilities shall be provided in all institutional units for the care of children

(e) Each patient in the discretion of the superintendent shall have opportunity to participate in suitable recreational activities

(f) Certain gratuity grants may be awarded patients who participate in institutional employment but these shall not be considered as payment for services rendered

(g) In the discretion of the superintendent and as otherwise provided for in this act a patient may realize pecuniary returns on the products of his individual skill and labor provided he reimburse the workshop fund for materials obtained if any

Section 18 Section 805 of said act is hereby repealed

Section 19 Sections 811 and 921 of said act are hereby amended to read as follows

Section 811 Statement of Officer of Institution as to Condition of Patient

Whenever the superintendent or any physician [or psychiatrist] of any State-owned mental hospital or manager of a veterans' administration hospital is required to appear and testify before any court or commission issued out of such court in a civil proceeding relating to the mental condition of any patient in his charge in such hospital the deposition of or sworn statement by such superintendent manager physician [or psychiatrist] may be admissible in evidence as to the condition of the patient in lieu of the appearance and testimony of the superin-

tendent manager physician [or psychiatrist] in court or before a commission unless by special order the court directs and requires the appearance and testimony in person of such superintendent manager physician [or psychiatrist]

#### Section 821 Penalty for Furnishing Liquor

Any person who delivers or causes to be delivered any alcoholic or other intoxicating or narcotic substance to any patient in any institution or [psycopathic] psychiatric department or ward of a general hospital without the knowledge or consent of the superintendent thereof is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed [fifty dollars (\$50)] one thousand dollars (\$1000) or to undergo imprisonment not to exceed [three months] one year or both

Section 19 Said act is hereby amended by adding after section 822 thereof two new sections to read as follows

#### Section 823 Penalty for Aiding Escape

Any person who shall aid or assist any patient lawfully admitted to any institution to make or attempt to make his escape therefrom or shall connive in any way at such escape or attempt at escape although no escape has been actually made is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed one thousand dollars (\$1000) or to undergo imprisonment not to exceed one year or both

#### Section 824 Unwarranted Hospitalization or Denial of Rights Penalties

Any person corporation partnership or association who wilfully causes or conspires with or assists another to cause (1) the unwarranted hospitalization of any individual under the provisions of this act or (2) the denial to any individual of any of the rights accorded to him under the provisions of this act shall be punished by a fine not exceeding one thousand dollars (\$1000) or imprisonment not exceeding one year or both If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employes with knowledge of the violation of the statement shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 20 Subsection (c) of section 901 of said act is hereby amended to read as follows

#### Section 901 Petition for Appointment of a Guardian of the Person

\* \* \* \* \*

(c) The person for whom the guardian is requested shall be present at the hearing unless the court is satisfied by the presentation of positive testimony that he cannot be brought into court with safety [to himself] and convenience to his physical or mental condition or to others or to property

Section 21 Section 902 of said act is hereby repealed

Section 22 Subsection (a) of section 903 of said act is hereby amended to read as follows

#### Section 903 Appointment of Guardian Exclusiveness

(a) If the court finds after hearing [or trial] that the appointment of a guardian of the person is necessary for the safety and well-being of the person in whose interest the petition has been presented it shall appoint a guardian

\* \* \* \* \*

Section 23 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1638, on third reading, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1683, as follows:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their

duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-first day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 917) is hereby further amended to read as follows

Section 2 The persons appointed to the position of electrical inspector shall not be under 30 or over 50 years of age on the date of their appointment They shall be citizens of this Commonwealth and shall devote their whole time and attention to the duties of their office They shall have had five years' experience in gaseous mines of this Commonwealth as electrician or electrical engineer and shall be conversant with the laws and regulations governing the installation and operation of electrical equipment in and around coal mines The electrical inspector shall receive a salary of [five thousand eight hundred fifty-six dollars (\$5,856)] six thousand six hundred fifty-two dollars (\$6,652) per annum together with the necessary expenses incidental to the performance of his duties under the law Such salaries and expenses shall be paid from the appropriation made for the payment of the salaries and expenses of the mine inspectors

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 708, on second reading, entitled:

An Act requiring certain non-profit and cooperative



associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not heretofore served providing for regulation of such service after approval and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled: "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committee

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1330, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed certain mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature or become due and payable and decrees or defects of record arise occur exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrances or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1381, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Private Trade Schools and prescribing penalties" by further defining "agent" prohibiting agents from representing more than one school clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1646, on second reading, entitled:

An Act to add subsection (4) to section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1662, on second reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1716, on second reading, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 9 o'clock p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.



## HOUSE MESSAGE

## SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

## JOINT STATE GOVERNMENT COMMISSION DIRECTED TO STUDY AND INVESTIGATE THE FOLLOWING

In the House of Representatives, August 20, 1951.

Whereas, The General Assembly requires for its use comprehensive, factual information concerning the numerous problems before it;

Resolved, (if the Senate concurs), That the Joint State Government Commission is hereby directed to:

## 1. Study and investigate:

- (a) State License Fees, Except Those Fixed by the Motor Vehicle Code.
  - (b) Disability Benefit Laws
  - (c) Needs and Problems of the Aged and Aging.
  - (d) State and Local Support of Public Education.
  - (e) Instruction for the Deaf.
  - (f) Public School Pupil Transportation Costs.
  - (g) Available Information Relating to Underground Water Supply.
  - (h) Un-American and Subversive Activities in the Commonwealth.
  - (i) The Feasibility of Establishing School of Veterinary Medicine at Pennsylvania State College.
  - (j) The Feasibility of Establishing a Free City College in Philadelphia.
  - (k) The Feasibility of Establishing Medical and Dental Schools at Pennsylvania State College.
  - (l) Laws Relating to Milk Control.
  - (m) The Proposed Uniform Commercial Code.
- and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with such drafts of legislation necessary to carry the recommendations into effect; and be it further

Resolved, That this resolution shall constitute the complete directive to the Joint State Government Commission notwithstanding any resolutions heretofore adopted.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

## BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

## House Bill No. 207, entitled:

An Act to further amend the second paragraph of section 2 of the act, approved the seventh day of June one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for the violation thereof," by further providing for the appointment of the plumbing inspector in certain cases in third class cities.

## House Bill No. 238, entitled:

An Act to amend Section 256 of the Act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by authorizing fish wardens to make arrests without warrants under certain circumstances.

## House Bill No. 691, entitled:

An Act to further amend Section 444 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General Country Law" by increasing the maximum appropriation which may be made for agricultural extension work.

## House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," by further regulating the leasing of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands.

## House Bill No. 772, entitled:

An Act to amend the act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30) entitled, "Public School Code of 1949," by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction, and the care, training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children; and making an appropriation.

## House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the requirements that certain vehicles stop at railway grade crossings.

## House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by authorizing financially handicapped or distressed school districts to levy additional taxes within certain limitations.

## House Bill No. 1567, entitled:

An Act to amend Section 672 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

House Bill No. 1581, entitled:

An Act to amend the act, approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provisions shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by further providing for the course of instruction and the admission of students at such institution; and authorizing certain tuition charges for its use.

House Bill No. 1585, entitled:

An Act to amend Section 9 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "State Highway and Bridge Authority Act," by further providing for examination of the accounts and books of the Authority.

House Bill No. 1587, entitled:

An Act to amend section 8 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "The General State Authority Act of 1949," by further providing for examination of the accounts and books of the Authority.

House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act, approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "State Public School Building Authority Act," by further providing for examination of the books and accounts of the Authority.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

### CARE OF WORLD WAR II ROSTER IN CAPITOL ROTUNDA

In the Senate, December 12, 1951.

It is fitting that provision be made for the permanent care of the World War II roster, now displayed in the Capitol rotunda, in order that this record of war history may be properly preserved.

In as much as the Pennsylvania Historical and Museum Commission by Act No. 340 of the 1949 Session of the General Assembly is empowered, in cooperation with the Department of Military Affairs to establish and maintain an extension museum of war history at Indiantown Gap, and in view of its other excellent facilities and experience in caring for historical records, it is proper that this Commonwealth agency be entrusted with the permanent care of this valuable war record; now therefore be it

Resolved (if the House of Representatives concur), That the permanent care of World War II service roster now in the Capitol rotunda be entrusted and turned over to the Pennsylvania Historical and Museum Commission for display and preservation in accordance with its powers and facilities.

## HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1731, entitled:

An Act to further amend the act, approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1198), entitled "Labor Anti-Injunction Act," providing further conditions upon the issuance of injunctions in labor disputes.

Which was committed to the Committee on Labor and Industry.

### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1404

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school district, in certain cases.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

## REPORTS FROM COMMITTEE

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 1718, entitled:

An Act to amend Section twenty-one of the Act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law," as amended by modifying the rates of commission which may be retained by registers of wills for their own use, for collection of inheritance taxes as agents of the Commonwealth.

He also, from the Committee on Local Government, reported as amended, House Bill No. 609, entitled:

An Act to further amend Sections 10 and 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting the Committee on Law and Order.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.



## CALENDAR

SENATE BILL No. 431 CALLED UP FROM THIRD  
READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 431 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 431, as follows:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1448) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Except as herein-after specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

\* \* \* \* \*

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-

sixtieth or ten-two hundredths or less normal vision (3) has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4) is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person (5) is not at the date of making application an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be [forty dollars (\$40)] fifty dollars (\$50) per month Provided That any blind person with an actual income of [one thousand five hundred ninety-six dollars (\$1596)] one thousand seven hundred sixteen dollars (\$1716) or upwards and any blind person having (1) real property with an assessed valuation of over five thousand dollars (\$5000) or (2) personal property with an actual value of over five thousand dollars (\$5000) or (3) a combination of real and personal property with a total valuation of over five thousand dollars (\$5000) the valuation of the real property to be determined by its assessed valuation the valuation of the personal property to be determined by its actual value is not entitled to such pension the interest of a blind person in any property owned by the entireties shall be deemed to be a one-half interest And provided further That where a blind person has an income of less than [one thousand five hundred ninety-six dollars (\$1596)] one thousand seven hundred sixteen dollars (\$1716) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed [one thousand five hundred ninety-six dollars (\$1596)] one thousand seven hundred sixteen dollars (\$1716) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of the moneys appropriated by this Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blas,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Offi-

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## REPORT FROM COMMITTEE

Mr. WOLFE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.



Mr. WOLFE, from the Committee on Law and Order, reported as committed, House Bill No. 241, entitled:

An Act to amend section six hundred forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by increasing the age range of children prohibited admittance to moving picture theatres during school hours.

### INTERROGATION

Mr. McGINNIS. Mr. President, I would like the privilege of interrogating the Majority Floor Leader.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. McGINNIS. Mr. President, the House has concurred in the Conference Report on House Bill No. 1698, Printer's No. 1116. There has been a question raised as to whether or not this bill would affect municipal or political subdivisions of the Commonwealth and authorities created by virtue of the Act of the General Assembly.

I would like to inquire from the Majority Leader whether or not it was the legislative intent that this bill apply to the Commonwealth and its political subdivisions or to authorities created by virtue of the Act of the General Assembly.

Mr. WALKER. Mr. President, in answer to the gentleman from Allegheny, House Bill No. 1698 is the bill which imposes a State tax on certain documents and which has been referred to in the Senate as a real estate tax. I believe that is the bill to which the gentleman is referring.

Mr. President, from the understanding and knowledge that I have of the bill, I would say that the political subdivisions in the Commonwealth are not affected by the bill, and certainly the intent of the Legislature is not to tax them by this bill.

Mr. McGINNIS. Does that also extend to authorities created by Act of the Assembly?

Mr. WALKER. Well, Mr. President, I apologize to the gentleman from Allegheny for my somewhat curbstone opinion on that. I would say, yes, in my opinion it would. I feel very confident about the political subdivisions, Senator. I am backing up just a little on the authorities that are contained in the second part of your question, but I would say, yes, they would.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Judiciary General.

Mr. KESSLER. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### REPORT FROM COMMITTEE

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Judiciary General, reported as committed, House Bill No. 1658, entitled:

A Joint Resolution proposing an amendment to article eight, section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

### SENATE BILL No. 871 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar Senate Bill No. 871, which went over in its order, temporarily. I call the bill up for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 871, as follows:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of electing representatives of the people of Pennsylvania to serve in the House of Representatives in the Congress of the United States this Commonwealth shall be divided into thirty (30) districts which shall have one Congressman each as follows

The First District shall consist of the first second third fourth fifth sixth seventh eighth ninth tenth eleventh twelfth thirteenth fourteenth fifteenth sixteenth seventeenth eighteenth nineteenth and twentieth wards of the City of Philadelphia

The Second District shall consist of the twenty-sixth twenty-seventh thirtieth thirty-four thirty-sixth thirty-ninth fortieth forty-sixth forty-eighth and fifty-first wards of the City of Philadelphia

The Third District shall consist of the twenty-fourth twenty-eighth twenty-ninth thirty-second thirty-seventh thirty-eighth forty-fourth forty-seventh and fifty-second wards of the City of Philadelphia

The Fourth District shall consist of the twenty-third twenty-fifth thirty-first thirty-third thirty-fifth forty-first forty-third and forty-fifth wards of the City of Philadelphia

The Fifth District shall consist of the twenty-first twenty-second forty-second forty-ninth and fiftieth wards of the City of Philadelphia

The Sixth District shall consist of the County of Delaware

The Seventh District shall consist of the counties of Bucks and Lehigh

The Eighth District shall consist of the counties of Lancaster and Chester

The Ninth District shall consist of the counties of Lackawanna Wyoming Sullivan Susquehanna Wayne and Pike

The Tenth District shall consist of the county of Luzerne

The Eleventh District shall consist of the counties of Schuylkill and Northumberland

The Twelfth District shall consist of the county of Montgomery

The Thirteenth District shall consist of the county of Berks

The Fourteenth District shall consist of the counties of Northampton Carbon and Monroe

The Fifteenth District shall consist of the counties of Lebanon Dauphin Perry and Juniata

The Sixteenth District shall consist of the counties of Lycoming Columbia Montour Clinton Cameron Potter Tioga and Bradford

The Seventeenth District shall consist of the counties



of Union Snyder Mifflin Huntingdon Fulton and Franklin  
The Eighteenth District shall consist of the counties of York Adams and Cumberland

The Nineteenth District shall consist of the counties of Blair Centre and Clearfield

The Twentieth District shall consist of the counties of Bedford Somerset and Fayette together with the boroughs of Bolivar Cokeville Derry Donegal Latrobe Ligonier Livermore Mt Pleasant New Alexandria New Florence Seward and Youngstown and the townships of Loyalhanna Mt Pleasant St Clair and the first election district of the township of Unity all in the county of Westmoreland

The twenty-first District shall consist of all that part of the county of Westmoreland not hereinbefore included in the Twentieth District together with the city of McKeesport and the boroughs of White Oak Eden Park East McKeesport Wilmerding Wall East Pittsburgh Turtle Creek Versailles the first election district in the borough of Trafford and North Braddock and the townships of North Versailles and South Versailles all in the county of Allegheny

The Twenty-second District shall consist of the counties of Cambria Indiana and Armstrong

The Twenty-third District shall consist of the counties of Jefferson Clarion Venango Forest Elk McKean and Warren

The Twenty-fourth District shall consist of the counties of Erie Crawford and Mercer

The Twenty-fifth District shall consist of the counties of Butler Lawrence and Beaver

The Twenty-sixth District shall consist of the counties of Greene and Washington together with the cities of Clairton and Duquesne and the boroughs of Elizabeth Jefferson West Elizabeth Dravosburg Liberty Glassport Port Vue and West Mifflin and the townships of Forward Elizabeth Lincoln and Snowden all in the county of Allegheny

The Twenty-second District shall consist of the nineteenth twentieth twenty-eighth twenty-ninth thirtieth and thirty-second wards of the city of Pittsburgh the boroughs of Baldwin Bethel Brentwood Bridgeville Carnegie Castle Shannon Crafton Dormont Greentree Heidelberg Ingram Mt Oliver McDonald Pleasant Hills McKees Rocks Oakdale Rosslyn Farms Thornburg and Whitehall and the townships of Baldwin Collier Kennedy Findlay Mt Lebanon Neville North Fayette Robinson Scott South Fayette Stowe and Upper St Clair all in the county of Allegheny

The Twenty-eighth District shall consist of the first second third fourth fifth sixth ninth fifteenth sixteenth seventeenth eighteenth twenty-second twenty-third twenty-fifth and thirty-first wards of the city of Pittsburgh and the boroughs of Braddock Homestead Munhall Rankin West Homestead and Whitaker all in the county of Allegheny

The Twenty-ninth District shall consist of the seventh eighth tenth eleventh twelfth thirteenth and fourteenth wards of the city of Pittsburgh the boroughs of Braddock Hills Chalfant Churchill Edgewood Forest Hills Monroeville Oakmont Pitcairn Swissvale Verona and Wilkesburg and the townships of Penn Plum and Wilkins all in the county of Allegheny

The Thirtieth District shall consist of the twenty-first twenty-fourth twenty-sixth and twenty-seventh wards of the city of Pittsburgh the boroughs of Aspinwall Avalon Bellevue Ben Avon Ben Avon Heights Blawnox Brackenridge Bradford Woods Cheswick Coraopolis Edgeworth Emsworth Etna Fox Chapel Glenfield Haysville Leetsdale Millvale Osborne Sewickley Sewickley Heights Sharpsburg Springdale Tarentum and West View and the townships of Aleppo Crescent East Deer Fawn Franklin Frazier Hampton Harmar Harrison Indiana Kilbuck Leet Marshall McCandless Moon O'Hara Ohio Pine Reserve Richland Ross Sewickley Sewickley Heights Shaler Springdale and West Deer all in the county of Allegheny

Section 2 The first election under this act shall be held at the Primary election in the year one thousand nine hundred fifty-two

The Members of Congress now in office shall continue

in such office until the expiration of their respective terms

Vacancies now existing or happening after the passage of this act and before the commencement of the terms of the members elected at the election of one thousand nine hundred fifty-two shall be filled for the unexpired terms in the manner now provided by law

Section 3 The act approved the eighth day of May one thousand nine hundred forty-three (P. L. 256) entitled "An act to apportion the Commonwealth of Pennsylvania into Congressional Districts" is hereby repealed

All other acts and parts of acts inconsistent herewith repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WALKER. Mr. President, the bill now before the Senate for passage is the Congressional Reapportionment Bill.

The Consitution of the Commonwealth of Pennsylvania makes it imperative for the General Assembly to reapportion the Congressional Districts following each decennial census by the Federal Government. In 1950, there was a Federal census, and following that census the Congress of the United States passed a Congressional Reapportionment directive under which Congressmen were assigned to the various forty-eight States of the Union. Under the terms of that bill it became necessary for the Commonwealth of Pennsylvania, in reapportioning this State, to drop three Congressmen.

For the first time in the history of the Republic, a State is obliged to drop three Congressmen.

When the Legislature convened in January of 1951, realizing the necessity and the problem confronting the Members of the General Assembly, the President pro tempore of the Senate appointed an additional committee chairman, our very distinguished colleague from Lancaster, Senator Diehm, who kindly consented to act as Chairman of the Senate Committee on Reapportionment. We waited for quite some time for the official reapportionment figures, because we were advised, and probably rightly so, that we could not reapportion Pennsylvania until the official census figures had been placed at our disposal. Waiting for these figures was a long and sometimes boring task, and, during the interval, Senator Diehm worked out or tried to work out combinations of various counties and various districts. He was hoping that somewhere he would be able to find a key that would enable the State to be logically reapportioned and the people of Pennsylvania would have as fine a representation as it was possible for the General Assembly to give them.

Mr. President, I want to say at this time that I think the Members of the Senate owe Senator Diehm a sincere vote of appreciation for his very careful and his very sincere approach to this problem, and for the very long hours he has spent trying to work it out. Reapportionment is not an easy task, and reapportionment in the short time that he had to do the tremendous task that was thrust upon him was almost impossible. Everybody is in favor of reapportionment, providing his particular district is not touched, and everybody responded, I might say, in almost that way when reapportionment was first placed before us for action.

I think it was late in September that Senator Diehm



finally received from the Federal Government the official census figures upon which definite action could be taken, and upon which the reapportionment could be predicated to meet the Congressional requirements.

Now, there is before us Senate Bill No. 871, which at this point represents the best thinking that the Senate of Pennsylvania can do on a very difficult subject. I view this bill, Mr. President, with a great deal of sadness in my heart. I am not enthusiastic about it, if I can put it that mildly. In 1945, I had the privilege of speaking on the floor of the Senate with regard to a Congressional Reapportionment Bill which just affected the county of Allegheny. At that time, in the county of Allegheny we had five Congressmen and all five of them were members of the Democratic Party. In 1945, when the bill was before us for action, I stood on the floor of this Senate and stated that if my bill were passed and we would reapportion Allegheny county, we would have two Republican Congressmen, two Democratic Congressmen and the fifth one would be a tossup. Well, Mr. President, I think that that was a true prophecy because we did have two Republican Congressmen, two Democratic Congressmen and the fifth one, which was the district that is represented by our good friend, Congressman James Fulton, is Republican. because of the terrific ability of Congresssman Fulton to campaign his district. He has that marvelous knack of being able to campaign twenty-four hours a day, three hundred sixty-five days out of the year, and for that reason that district has been Republican.

This bill reduces the number of Congressmen in Allegheny County from five to four. In trying to set up Allegheny County so that it would give the people of the county as honest and as intelligent a representation as it was possible, it was necessary to take those five big districts and cut them into four. Anybody coming from Allegheny County, Mr. President, was very reluctant to see this done. I do not think a representative of either political party wants to see Allegheny County lose a Congressman. We have been proud of Allegheny County in the last decade. We are proud of it because of the things that it has accomplished in the last few years, both from a civic standpoint, from an educational standpoint and from an industrial standpoint. We have read in nationally circulated newspapers newspapers, magazines and periodicals story after story showing that Allegheny County is on the march. I do not think there is a comparable geographic area anywhere in the United States of America that can show as much progress, as much civic pride and as much advancement in making any area a better place in which to live than the grand old "State of Allegheny." We are proud of the things that the people have done in Allegheny County, we are proud of our industries, we are proud of our labor unions and we are proud of the public officials back there. One of the finest things that has happened to the people of Allegheny County has been the very splendid cooperation between Federal, State, County and City officials in working out the best things for the most people in the shortest period of time. Regardless of political affiliation, there has been a grand, unselfish, high-minded spirit of cooperation that has made this county one of the outstanding counties in the United States.

We are proud of Allegheny County, too, Mr. President, because of the tremendous contribution that Allegheny County makes to the Republic. We are one of the largest

taxpaying areas that the Federal Government has. We have more industry confined within the geographic boundary lines of that county that you will find anywhere else in the world, and that industry, Mr. President, is dependent a great deal upon very close, very active and very constant communication with the Federal Government at Washington. Because of the encroachment that the Federal Government has made and the restrictions that have been built around business and industry by the Federal Government, the five Congressmen from Allegheny County have worked constantly and unceasingly representing this great industrial empire in the Federal Halls of Congress and in the various bureaus of Federal Government in Washington.

Tonight, Mr. President, that work is going to be greatly increased because, instead of having five gentlemen representing this great industrial empire, there will be only four. There will be only four because of the thing that we must do in order to keep Congressmen from being elected at large. Mr. President, nobody in the General Assembly wants to elect Congressmen at large. We all know how foolish that would be if we were to shunt the responsibility that the Constitution has placed upon us. We are sorry that it has to be done in the dying days of this Session, and I say to the gentlemen of the Senate, it has not been because of any dereliction of duty on the part of any of the Members of the General Assembly. It has been unfortunate because of all of the trying things that have plagued us all year long, culminating in the fact that the census figures were impossible to obtain until such a late date.

Mr. President, personally I am grieved about this bill because my own Congressional District is affected. When it came time to reapportion Allegheny County, and they cut it into four, the gentleman who had charge of that, in my opinion, did as sincere a job as they could possibly do under the circumstances. Those of you who are familiar with the political history and the political background of Allegheny County will notice that in this bill, one Congressional District is overwhelmingly Republican, one Congressional District is Republican and the other two districts are overwhelmingly Democratic. The fifth Congressman, my own Congressman, Harmar Denny, who represents my home town, his district is joined with Congressman Eberharter's district. I think it is safe to surmise that when you take the first fifteen wards of the city of Pittsburgh and put them into a Congressional District, the brave men who accepts the Republican nomination in a district like that will get nothing but the exercise for his political endeavors.

Mr. President, I do not want to pass a reapportionment bill that puts Harmer Denny out of Congress. I do not want to pass a bill that put anybody out of Congress, but we find ourselves in this position tonight. We are running out of time which now is the most valuable asset we have in the General Assembly. We are trying desperately to adjourn sine die by the end of this week. If any group of men have earned the right to go home for Christmas, it is the two hundred fifty-eight men who have labored down here for twelve long months, trying to resolve the affairs of the Commonwealth during this trying period.

I wish it would be possible to have a reapportionment bill that did not drop any Congressmen. I wish we did not



have to take one out of Allegheny County. We have tried all sorts of plans. We tried plans to put a piece of Allegheny County into Westmoreland County. That only upset more people than other plans which we tried. We tried putting a piece of into Washington County. We even experimented with taking Armstrong County and bringing it down into Allegheny County to see if we mould resolve the matter that way. No matter which way we turned, we always marched back to the lesser of the evils presented to us, which was to take Allegheny County, keep it within the geographical confines of the county itself and try to divide it into four Congressional districts and, with that division, be fair and decent and honest with the people of the county.

I feel confident that the men who had charge of the mechanical work in doing this were sincere in their endeavors to do the very thing that I have just described. In presenting this bill to the Senate, my personal feeling, of course, is one of sorrow because of the fact that my good friend, Harmar Denny, is practically eliminated from Congress. I know I am not alone in this. I know that a lot of folks in Allegheny County feel just as bad about it as I do.

If I might take the liberty and refer to a Congressional District which I think could be aptly described as "old twenty-three," I think the gentleman from Somerset, Senator Hare, who is presiding, is in the same sad predicament in which I find myself. Here is a bill which also eliminates his Congressman. I know that the gentleman from Somerset feels pretty bad about losing his Republican Congressman. We know how proud they are when they talk about the roof garden of Pennsylvania and God's footstool and that old quotation, "Take off your shoes because the ground upon which you stand is holy ground." We have always appreciated Somerset County. At least once a year when we get Somerset maple syrup, we appreciate it very much more. I know that the gentleman from Somerset is just as deeply grieved about losing that very fine Congressman of his as I am about losing Harmar Denny. I know that the gentleman from Somerset and Congressman Sitler are good friends. I know that they have been political associates through the years, and I know how sad it is going to be for him to turn his face westward when this Senate adjourns sine die and go back home and tell those folks in those counties on the southern border of this great Commonwealth that he had to stand idly by and, in spite of all of the things that we tried to work out, he had to sacrifice his Congressman for the good of the order.

Mr. President, I am going to vote for this bill and I am going to vote for it with an apology in my heart to Harmar Denny and to the Congressmen that are eliminated, whether they are in Allegheny County or whether they are in the Somerset district or in any other district which is affected by this bill. I am going to vote for it because I am convinced that even this plan would be better than electing Congressmen at large. Writers of political history tell us that those who occupy public office occasionally must make a slight sacrifice for the good of the order. If it is personal sacrifice, Mr. President, it is a lot easier to make than when you are sacrificing somebody else. It is with the hope that the people of Pennsylvania will accept this bill in the very sincere spirit in which it is presented. We appreciate that, perhaps, some-

where some one could take the sixty-seven counties of Pennsylvania, and divide them into thirty Congressional districts and, perhaps, do just a little better job than we have done here, but up to this point this is the best that we have been able to do with the tools that we have.

Now, I want to say to say to the Members of the Senate, there are probably one or two things in this bill that must be amended in the House. For example, in the county of Allegheny the third class city of Clairton is inadvertently omitted from the bill, and the Borough of Whitehall is also by error omitted from the bill. These mechanical deviations from perfection must be remedied in the House. Now, some may think, "Well, let's fix them here so that we can turn a perfect bill over to the House." I might say to the Senate that the reason we are turning these mechanical defects over to the House for correction is because of the time element. If we can send this bill over to the House tonight, it can be reported out of committee tomorrow with these mechanical amendments in it, and be before the House for its consideration. I know that the Members of the House are anxious to also adorn sine die. Mr. President, that sums up, as far as I can see it, the problem that is confronting us in this bill.

Again, I say, the million and one-half people in Allegheny County are very sorry to lose a Congressman. Regardless of political persuasion, most of them are sorry to lose Harmar Denny, a veteran of two world wars, a scholar and a gentleman, a distinguished member of the Allegheny County Bar, a past Director of Public Safety of the city of Pittsburgh, a man who has contributed much through all these years to the civic improvement of the City, and County, the Commonwealth and the Nation; a man who has a great political background which goes back through the years to the founding of the city of Pittsburgh, because, if memory serves me rightly, Harmar Denny's ancestor was the first Mayor of the City of Pittsburgh. I know that the present Mayor of the City of Pittsburgh, who is with us this evening, certainly appreciates and certainly reacts the same as I do as to the necessity for doing the thing that this bill does.

Mr. LEADER. Mr. President, Senate Bill No. 871 creates a very ironical situation for the people in York County. Some years ago York and Adams Counties were joined with Cumberland County to form a Congressional District. At that time Cumberland County was not so strongly Republican and Adams County was known to go Democratic occasionally. As a result of that, the district tended to be rather consistently Democratic in Congressional elections. This not being entirely satisfactory to some of the powers which existed at that time, York and Adams Counties were detached from Cumberland County and joined with Franklin County in establishing a new Congressional District. This district tended to be a good safe district for quite a time, but as a result of shifts in registration, the district came closer and closer and began to swing back and forth, and occasionally we did have a Democratic Congressman.

Now, Mr. President, in recent years, particularly due to the housing shortage, I believe in Dauphin County, quite a number of State employees have settled in Cumberland County and it has become quite a Republican stronghold. As a result of that, I suppose we are going back to the old plan of Congressional Districting for our



area, and we are joining together again Cumberland, York and Adams Counties.

We have small districts in Pennsylvania, Mr. President, we have areas which have not increased in population, in fact, some of them have shown a substantial decrease. York, Adams and Franklin Counties are in that category. We have had a good healthy growth, and I might say, as the gentleman from Allegheny has said of his county, we have a fine industrial community and it has had a very splendid growth over the last ten year period. We are only slightly under the norm for a Congressional District under the new plan. The combined counties have a population of approximately 323,000. We do not believe that we should be penalized because some districts have not grown or, perhaps, were too small to begin with when they were originally created into Congressional Districts, and we do not believe that we should be penalized so that these districts can continue without change or with varying insignificant changes.

A few weeks ago, Mr. President, I introduced a bill on Congressional Reapportionment for the Commonwealth of Pennsylvania, based on a study made by the League of Women Voters. The Senate of Pennsylvania, or at least a member of the Committee on Reapportionment, was not interested in a good bill, or a fair bill or a just bill. A bill had to be worked out to please individual Senators, their likes and dislikes, and their personal prejudices. Some of these personal feelings apparently required that Cumberland County should be detached from Dauphin and Lebanon. That was another reason for changing two Congressional Districts which did not figure directly in the elimination of three Congressional seats in the Commonwealth of Pennsylvania. We of York County do not like these constant changes in our district, and we do not believe the people of Cumberland County like this constant shifting around. As an expression of my protest against these shifts, I will be compelled to vote against this bill.

Mr. LANE. Mr. President, I listened to the splendid oration which was delivered by our distinguished Majority Leader, and I say to you the county of Allegheny should be proud of a man of his stature.

Mr. President, I might also say that here in Pennsylvania there was a reapportionment outside of Allegheny County. It so happens that my own Congressional District is also affected by this legislation. Prior to the compilation of this act, the old 24th Congressional District consisted of Washington and Green Counties, but, lo and behold, we are now forced to take a part of the Presiding Officer's district. We now have Washington, Greene and Fayette Counties; Washington County with a population of 209,000, Fayette County with a population of 189,000 and Greene County with a population of 45,000, which gives us a total population in our new Congressional District of approximately 443,000.

Mr. President, I say to you that, I, for one, am not objecting. I talked with our distinguished Congressman, Doctor Thomas E. Morgan, today over the telephone, and he said if our taking Fayette County would help out and help to settle this; muddle he was willing to do so, but I do want to point out this fact, that over in western Pennsylvania, west of the Alleghenies, in the great county of Washington and in the great county of Greene, which I think are two great counties, we are saddled with a

terrifically large Congressional District. I, too, feel sorry that we have to eliminate three Congressmen; whether they be Republicans or whether they be Democrats, they are still elected public officials.

Mr. President, I do want to call to the attention of the people of Pennsylvania that in this reapportionment not only Allegheny County is reapportioned, and also Philadelphia, and also the rural areas, the so-called country areas, and now we have this large district, and I feel sorry for our Congressman. He is going to be like that distinguished Congressman in Allegheny County, he is going to have to work his Congressional District in order to cover it, in all probability, three hundred sixty-five days a year.

Mr. BARR. Mr. President, these speeches tonight remind me of the poem, "Casey at the Bat." "There'll be no joy in Mudville tonight," but there will be in the State of California, where they picked up our three Congressmen.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane.	Freed.	McPherson, Jr..	Stevenson.
Barr.	Haluska.	Meade.	Stiefe.
Barrett.	Holland.	Neff.	Taylor.
Berger.	Kephart.	Pechan.	Toole.
Blaas.	Kessler.	Peelor.	Wade.
Byrne.	Lane.	Proper.	Wagner.
Chapman.	Letzler.	Robinson.	Walker.
Crowe.	Mahany.	Rosenfeld.	Watkins.
Dent.	McCreesh.	Ruth.	Watson.
Diehm.	McGinnis.	Silvert.	Wolfe.
DiSilvestro.	McMenamin.	Snowden.	Wood.
Fleming.			Yosko.

#### NAYS—3

Leader.	Mallery.	Hare.
		Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### RECONSIDERATION OF SENATE BILL No. 939

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 939 passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. TAYLOR. Mr. President, I second the motion.

Mr. TAYLOR. Mr. President, I voted with the majority. The motion was agreed to.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled: "An Act concerning elections including general municipal special and primary elections the nomi-



nation of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committee

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 808, page 3, line 9 by inserting after the word "delegates" and before the word "and" the following: "at large;" Amend Section 809, page 3, line 14 by inserting after the syllable "gates" and before the word "and" the following "at large;" Amend Section 809, page 3, line 16 by inserting after the word "delegates" and before the word "and" the following "at large;" Amend Section 809, page 3, line 19 by inserting after the word "delegates" and before the word "and" the following: "at large;" Amend Section 809, page 4, line 2 by inserting after the word "delegates" and before the word "and" the following: "at large;"

Amend Section 809, page 4, line 5 by inserting after the word "delegates" and before the word "and" the following: "at large;" Amend Section 809, page 4, line 7 by inserting after the word "delegates," as it appears the third time, and before the word "and" the following: "at large;" Amend Section 809, page 4, line 15 by inserting after the word "delegates" and before the word "and" the following: "at large;" Amend Section 809, page 4, line 17 striking out at the end of the line after the word "the" the following: "day on which the;" Amend Section 809, page 4, by striking out line 18. Amend Section 809, page 4, line 19 by striking out at the beginning of the line before the word "the" the following: county boards of elections and inserting in lieu thereof the following: "first day on which nomination petitions may be filed in the office of the Secretary of the Commonwealth for."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

## RECESS

Mr. WALKER. Mr. President, I move the Senate do now take a recess for five minutes, to permit a meeting of the Committee on State Government.

Mr. ROBINSON. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## REPORT FROM COMMITTEE

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY, from the Committee on State Government, re-reported as committed, House Bill No. 1550, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," by expanding the investment powers of State administrative departments, boards, commissions, or officers.

## BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An Act to amend section six hundred forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by increasing the age range of children prohibited admittance to moving picture theaters during school hours.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 609, entitled:

An Act to further amend Sections 10 and 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill 1113, entitled:

An Act to further amend Section 17 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation"

by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agriculture purposes providing penalties and making appropriations from the Motor Licenses Fund for the payment of such reimbursements and expenses in connection therewith.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1625, entitled:

An Act to add sections 14.1 and 14.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement and making such changes retroactive in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1658, entitled:

A Joint Resolution proposing an amendment to article eight, section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1704, entitled:

An Act to further amend section 4 and 9 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal

Claim and Tax Lien Law," by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the salary of members of the General Assembly, and providing a salary and payment of expenses in the event of annual sessions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1718, entitled:

An Act to amend Section twenty-one of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law," as amended by modifying the rates of commission which may be retained by registers of wills for their own use, for collection of inheritance taxes as agents of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, December 19, 1951, at 2 o'clock, p. m., Eastern Standard Time.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Wednesday, December 19, 1951, at 2 o'clock, p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

TUESDAY, December 18, 1951

The House met at 11:00 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Our Heavenly Father, who hast filled the world with beauty; Open, we beseech Thee our eyes to behold Thy gracious hand in all Thy works; that rejoicing in Thy whole creation, we may learn to serve Thee with gladness. Drive far from us all wrong desires, incline our hearts to keep Thy law, and guide our feet into the way of peace; that having done Thy will with cheerfulness while it is day, we may, when it is night, rejoice to give Thee thanks; through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, December 17, 1951? If not, and without objection, the Journal is approved.

## PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, these days when we are approaching the end of the session, I think everything we can do to facilitate action should be done.

When we meet in caucus, Democratic Caucus, there are always some of our Members who through curiosity, or a sense of statesmanship, or a devotion to their duty, rise and ask what this bill does.

Of course, that is a great strain on the mentality of the Caucus Chairman or the Floor Leader, particularly if they do not have any idea what the bill does themselves. So I am suggesting as we take up the second reading calendar, and I am particularly making the suggestion to the members of the minority group in the House, that as we take up these second reading bills, if they have any questions as to what the bill does, let them rise and interrogate—well, interrogate the Majority Leader, who sees all, knows all and is generally effective. If he cannot tell them what the bill does, he probably has second and third rate assistants who will come to his rescue. I am not suggesting that the bills be made a matter of controversy at the second reading stage, but that they ask what the bill does if they have any questions in their minds.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 106, entitled:

An Act creating the Commission on Organization of the Executive Branch of the Government providing for the membership of such Commission, prescribing its powers and duties and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendments.

Amend Section 1, page 2, line 1, by inserting after the word "various" and before the word "departments" the following: "legislative bodies courts."

Amend Section 1, page 2, line 2, by striking out after the word "agencies" and before the word "of" the following: "of the Executive Branch."

Amend Section 1, page 2, line 6, by striking out after the word "limiting" and before the word "functions" the following: "executive."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendments.

Amend Section 2, page 2, line 10, by striking out after the syllables "zation" and before the word "of" the following: "of the Executive Branch."

Amend Section 2, page 2, line 10, by inserting at the end of the line after the word "Government" the following: "of the Commonwealth."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendments.

Amend Section 3, page 2, line 11, by striking out after the numeral "3" and before the word "The" the following: "(a)".

Amend Section 3, page 2, line 11, by striking out after the word "of" and before the word "members" the following: "twelve" and inserting in lieu thereof the following: "nine."

Amend Section 3, page 2, by striking out line 12, and inserting in lieu thereof the following: "to be appointed by the Governor."

Amend Section 3, page 2, by striking out lines 13 to 19, inclusive.

Amend Section 3, page 3, by striking out lines 1 to 2, inclusive.

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendments.

Amend Section 4, page 3, line 3, by striking out at the end of the line after the numeral "4" the following: "The Commission shall select one of its members to be."

Amend Section 4, page 3, line 4, by striking out at the beginning of the line before the word "The" the following: "chairman thereof Seven members shall constitute a quorum."

Amend Section 4, page 3, line 5, by striking out after the syllable "bers" and before the word "the" the following: "who are appointed to" and inserting in lieu thereof the following: "of."

Amend Section 4, page 3, line 5, by striking out after the word "Commission" and before the word "shall" the following: "from private life."

Amend Section 4, page 3, by striking out line 6.

Amend Section 4, line 3, line 7, by striking out at the beginning of the line before the word "shall" the following: "duties and all members of the Commission" and inserting in lieu thereof the following: "no compensation but."

They were agreed to.

The section was agreed to as amended.

The fifth section was read and agreed to.

The sixth section was read.

On the question,  
Will the House agree to the section?

Mr. McMILLEN offered the following amendments.

Amend Section 6, page 3, line 16, by inserting at the beginning of the line before the word "departments" the following: "legislative bodies courts"

Amend Section 6, page 3, line 17, by striking out at the beginning of the line before the word "Commonwealth" the following: "executive branch of the."

They were agreed to.  
The section was agreed to as amended.  
The seventh section was read.

On the question,  
Will the House agree to the section?

Mr. McMILLEN offered the following amendments.

Amend Section 7, page 4, line 1, by striking out after the word "Commission" and before the word "shall" the following: "or any member thereof."

Amend Section 7, page 4, line 3, by striking out at the end of the line after the word "advisable" the following: "and any member of."

Amend Section 7, page 4, by striking out lines 4 to 6, inclusive, and inserting in lieu thereof the following: "and shall have the power to issue subpoenas in the usual manner to summon witnesses or compel the production of books records or files."

They were agreed to.  
The section was agreed to as amended.  
The eighth section was read.

On the question,  
Will the House agree to the section?

Mr. McMILLEN offered the following amendments.

Amend Section 8, page 4, line 7, by inserting after the word "every" and before the word "department" the following: "legislative body court."

Amend Section 8, page 4, line 8, by striking out at the end of the line after the word "the" the following: "executive branch of the."

They were agreed to.  
The section was agreed to as amended.  
The ninth section was read.

On the question,  
Will the House agree to the section?

Mr. McMILLEN offered the following amendments.

Amend Section 9, page 4, line 14, by striking out after the word "the" and before the word "Government" the following: "Executive Branch of the."

Amend Section 9, page 4, line 15, by inserting at the beginning of the line after the word "for" the following: "of the Commonwealth."

They were agreed to.  
The title was read.  
On the question,  
Will the House agree to the title?

Mr. McMILLEN offered the following amendments.

Amend page 1, line 1 of the title by striking out at the end of the line after the word "Organization" the following: "of the Executive Branch."

Amend page 1, line 2 of the title, by inserting after the word "Government" and before the word "providing" the following: "of the Commonwealth."

They were agreed to.  
The title was agreed to as amended.  
And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third read.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 565, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1308, entitled:

An Act to further amend sections two and seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further defining the term "municipality" to include joint-county departments of health by defining the term "joint-county health commission" and by providing that joint-county departments of health may join the retirement system.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1430, entitled:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids and maintenance of civil air patrol aircraft and making an appropriation

The first, second and third sections and were separately read and agreed.

The fourth section was read.

On the question,  
Will the House agree to the section?

Mr. VAN SANT offered the following amendments:

Amend Sec. 4, page 2, line 19, by striking out all of said line.

Amend Sec. 4, page 3, lines 1 and 2, by striking out all of said lines.

They were agreed to.  
The section was agreed to as amended.

The fifth section was read.  
Will the House agree to the section?

Mr. VAN SANT offered the following amendments:

Amend Sec. 5, page 3, line 3, by striking out the figure "5" and inserting in lieu thereof "4".

It was agreed to.



The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. VAN SANT offered the following amendments:

Amend Title, page 1, last line and next to last line of Title, by striking out "and making an appropriation."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 867, entitled:

An Act to add section 2351.2 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class

The first section was read.

On the question,

Will the House agree to the section?

Mr. GOODLING. Mr. Speaker, I have tried to read Senate Bill 877. I wonder if anyone who represents fourth class county in this House can tell us anything about it?

Mr. VAN SANT. Mr. Speaker, under a recent bill passed here in the Legislature and signed by the Governor, the salary increase bill raises the salary of the coroners in the counties of Pennsylvania.

It has been the situation in Lehigh County, and undoubtedly in other fourth class counties whereby the fees do not cover the amount of money needed to pay the coroner his annual salary. This would increase the fees in order to at least bring the total amount of money to the amount paid the coroner, an increase in fees to compensate for the increase in salary as voted by the Legislature of Pennsylvania.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman who just explained this bill.

The SPEAKER. Will the gentleman from Lehigh, Mr. Van Sant permit himself to be interrogated?

Mr. VAN SANT. I shall, Mr. Speaker.

Mr. ANDREWS. The gentleman said that the fees did not yield enough to pay the mandated salary of the coroner. Who pays the fees? In the case of a dead body, who pays the fee?

Mr. VAN SANT. As I understand it, the fees are paid by the people represented.

Mr. ANDREWS. Are any of these paid by the county?

Mr. VAN SANT. Some of them are, yes.

Mr. ANDREWS. In that event you are just taking money out of one pocket and putting it in the other. Would you not?

Mr. VAN SANT. Mr. Andrews, in the case of a murder it is the estate of the man that did the killing that would pay the fee.

Mr. ANDREWS. Very frequently the man that did the killing is never found; they are looking for him yet, and in other cases they do not have any estate.

Mr. VAN SANT. Well then, in the jargon of the service it is TS, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, I wish to interrogate the gentleman from Lehigh, Mr. Van Sant.

The SPEAKER. Will the gentleman from Lehigh, Mr. Van Sant, permit himself to be interrogated?

Mr. VAN SANT. I shall, Mr. Speaker.

Mr. LOPRESTI. Is the coroner's office one of those offices which must necessarily earn enough in fees before coroners are paid their salary?

Mr. VAN SANT. It is a fee office, sir.

Mr. LOPRESTI. Fee office. Then the county is not permitted to pay the salary unless the fees taken in by the office are sufficient to cover the salary, is that correct?

Mr. VAN SANT. That is correct, sir.

Mr. LOPRESTI. Would not this then be a matter largely of bookkeeping?

Mr. VAN SANT. That may be true, sir.

Mr. LOPRESTI. In other words, to build enough credit in the coroner's office so that he can receive his salary, otherwise he would not get the salary increase.

Mr. VAN SANT. That is correct. If he falls short on the fees for the year, in other words he would fall short of the salary that has been voted him by the Legislature.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 881, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantages to the district and providing for the payment of their expenses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 913, Printer's No. 681

was passed over at the request of Mr. ANDREWS

There being no objection

Senate Bill No. 914, Printer's No. 684

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects and increasing the borrowing capacity of the Authority.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCHMIDT offered the following amendments:

Amend Sec. 1, page 3, line 12, by inserting after the word "act" the following: "clause (d) of which was amended by the act approved the twenty-sixth day of September, one thousand nine hundred fifty-one (Act No. 375)."

Amend Sec. 1, page 3, line 12, by inserting after the word "hereby" the following: "further."

Amend Sec. 1 (Sec. 4), page 3, line 16, by striking out the word "Institutions" and inserting in lieu thereof "institutions."

Amend Sec. 1 (Sec. 4), page 3, line 16, by striking out the word "kinds" and inserting in lieu thereof "kind."

Amend Sec. 1 (Sec. 4), page 4, line 9, by striking out the words "projects" Providing" and inserting in lieu thereof ("projects") Provided."

Amend Sec. 1 (Sec. 4), page 5, line 18, by inserting after the word "Authority" the following: "whether wholly or partially completed."

Amend Sec. 1 (Sec. 4), page 5, line 20, by inserting after the word "Authority" the following: "whether wholly or partially completed."

Amend Sec. 1 (Sec. 4), page 7, line 1, by striking out the word "bonds)" and inserting in lieu thereof "bonds")."

Amend Sec. 1 (Sec. 4), page 8, line 10, by striking out the word "structure" and inserting in lieu thereof "structures."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. SCHMIDT offered the following amendment.



Amend Title, page 1, line 1, of title, by inserting after the word "To" the following: "further."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The first section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the word "The" and inserting in lieu thereof: "Sections 1 and 3 of the".

Amend Sec. 1, page 2, line 6, by striking out "is hereby repealed" and inserting in lieu thereof: "are hereby amended to read as follows:".

Amend Bill, page 2, by inserting between lines 6 and 7, the following:

Section 1 Every political subdivision of this Commonwealth authorized by law to adopt building ordinances or codes restricting, regulating or otherwise affecting the construction, reconstruction or improvement of real estate located within the boundaries of such political subdivision, shall file a copy of any such ordinance or code, or amendment thereto, certified to be true and correct by the proper officer, in the office for the recording of deeds of the county wherein the political subdivision is situate, [which copy shall be adequately indexed to enable a person using the same to readily find the various types and kinds of regulations or requirements of such ordinance or code].

Section 3 [It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "Building Ordinance Book" or books and to maintain an adequate index as part of the same in which the filed copy of any such building ordinance or code and amendments thereto shall be kept] The recorder of deeds shall charge the political subdivision filing the same a filing fee equal to the filing fees authorized by law for the same or similar services.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 2, page 2, line 15, by striking out the word "or" and inserting in lieu thereof: "if such ordinance, code or amendment shall be filed in such office within a period of six months after the effective date of this amending act, or if any such political subdivision has filed such ordinance, code or amendment in the office of the recorder of deeds of the proper county but."

Amend Sec. 2, page 2, line 15, by striking out "such ordi."

Amend Sec. 2, page 3, line 1, by striking out "nance, code or amendment thereto" and inserting in lieu thereof: "the same."

Amend Sec. 2, page 3, line 7, by inserting after the word "confirmed" the following: "for all purposes, or when filed in the office of the recorder of deeds as herein provided shall be a valid ordinance for all purposes."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. ROBERTSON offered the following amendments:

Amend Title, page 1, line 1, by striking out the word "repeal" and inserting in lieu thereof: "amend."

Amend Title, page 1, next to last line, by inserting after the word "deeds" the following: "by deleting certain duties imposed upon the recorder of deeds."

Amend Title, page 1, next to last line, by striking out the word "zoning" and inserting in lieu thereof: "building."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the word "The" and inserting in lieu thereof the following "Section 3 of the."

Amend Sec. 1, page 2, line 8, by striking out the word "repealed" and inserting in lieu thereof "amended to read as follows:"

Amend Bill, page 2, by inserting between lines 8 and 9 the following

"Section 3. It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "Zoning Ordinance and Map" book or books and to maintain an adequate index as part of the same in which the filed copy of any such zoning ordinance and amendments thereto, together with the map or plan of the political subdivision or part thereof shall be kept. The recorder of deeds shall charge the political subdivision filing the same a filing fee equal to the filing fees authorized by law for the same or similar services."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendments:

Amend Sec. 2, page 3, line 5, by striking out the word "or" and inserting in lieu thereof the following "if such ordinance, maps or plans shall be filed in such office within six months after the effective date of this amending act, or if any such political subdivision has filed such ordinance and maps or plans in the office of the recorder of deeds in the proper county but."

"Amend Sec. 2, page 3, lines 6, 7 and 8 by striking out "any such ordinances or amend-" in line 6, all of line 7 and the part word "ments" in line 8, and inserting in lieu thereof "the same."

Amend Sec. 2, page 3, line 13, by inserting after the word "purposes" the following "or when filed in the office of the recorder of deeds as herein provided shall be a valid ordinance for all purposes."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. ROBERTSON offered the following amendment:

Amend Title, page 1, line 1, by striking out the word "repeal" and inserting in lieu thereof "amend."

Amend Title, page 1, last line, by inserting after the word "deeds" the following "by deleting certain duties imposed upon the recorder of deeds."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for refusal to issue and revocation of licenses

The first section was read.

On the question,

Will the House agree to the section?

Mr. GUARNIERI. I would like to have some information as to the nature of the contents of this bill.

The SPEAKER. Is the gentleman from Centre, Mr. Frost, Chairman of the Committee of Public Health and Sanitation, familiar with the provisions of Senate Bill 937, Printer's No. 694?

Mr. FROST. Mr. Speaker, for the information of the gentleman, I do not know too much about it, I have not read over the bill, but possibly I can answer his question; I will try to do so.

Mr. GUARNIERI. Mr. Speaker, I have no question on the bill. I just want to know what the nature of the bill is, what does it do; it is an amendment, I see. What is the nature of the bill?

Mr. FROST. Mr. Speaker, as I understand the bill, it is to clarify the procedure in revoking licenses of certain private institutions, I believe, mental institutions. I might say that the bill was requested by the Attorney General's office.

Mr. ANDREWS. Mr. Speaker, I might inform the gentleman from Philadelphia in a general way concerning the purpose of the bill.

In one of its provisions it would provide that applicants for license must be notified of the decision of the department if the latter decides to refuse the license. The existing provision for appeal from department decisions to revoke licenses under the terms of the administrative agency would be supplemented by a provision for an appeal to the Dauphin County Court. The jurisdiction of the later would be limited to the consideration of whether or not the department abused its discretion.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

## BILLS ON FINAL PASSAGE

Agreeably to order,



The House proceeded to the consideration on final passage of House Bill No. 1731, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" providing further conditions upon the issuance of injunctions in labor disputes

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, even though the amendments we offered to this measure yesterday failed to receive a majority vote, we want to go along with it, because we believe it slightly corrects an injustice as it is now upon the statute books.

Mr. LOVETT. Mr. Speaker, I want to state that I do not agree with my colleague. I cannot support this bill.

Mr. GUARNIERI. Mr. Speaker, I wish to interrogate the gentleman from Westmoreland, Mr. Petrosky.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. GUARNIERI. Mr. Petrosky, would the gentleman explain to the membership generally, and especially to the membership on this side, in what manner or what way the amendments proposed to this bill correct an injustice as has been indicated.

Mr. PETROSKY. Mr. Speaker, under the present act that we are operating under, temporary injunctions and temporary restraining orders, there is no time limit set up when the order must be handed down by the Court. In some instances a temporary restraining order, to a temporary injunction has been held over in the Courts for as long as a year and a half or two years.

This bill remedies that partly by terminating the proceedings by a given date as provided in the bill.

Mr. GUARNIERI. Mr. Petrosky, I understand that in the present law without this amendment, there is a limitation of ten days, under Section 16 of the present act. I understand that the temporary restraining order would expire at the end of ten days unless the plaintiff or the party who asked for the restraining order is ready to proceed, and thereafter would be automatically dissolved.

Mr. PETROSKY. That is not true. I would ask the gentleman to wait until I procure a copy of the bill in order to answer his question.

Mr. PETROSKY. Mr. Speaker, may we have this bill passed over temporarily while we have a conference?

The SPEAKER. Does the gentleman from Cambria, Mr. Andrews, have objection?

Mr. ANDREWS. Mr. Speaker, no objections. I am a dove of peace with wide wings and I would like to take the entire House beneath their shelter.

Mr. PETROSKY. That is evidently attributable to the Christmas season, Mr. Speaker.

#### BILLS PASSED OVER

The SPEAKER. If there are no objections, this bill will be passed over temporarily. The Chair hears none, and the bill is passed over.

There being no objection

Senate Bill No. 27, Printer's No. 672.

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 793, as follows:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to any real estate situate in this Commonwealth which may have been held prior to the first day of January one thousand nine hundred fifty-one by any foreign corporation not authorized under the laws of Pennsylvania to transact business in Pennsylvania the title to which real estate has been heretofore conveyed by such foreign corporation to any citizen or citizens of the United States or to any corporation incorporated under the laws of this Commonwealth or of any other state or commonwealth in the United States and authorized to hold such real estate is hereby declared to be good and valid and free and clear of any right of escheat by the Commonwealth and such citizen citizens or corporation grantees as aforesaid and his their or its respective heirs successors and assigns shall hold and may convey such title and estate indefeasible as to any right of escheat which the Commonwealth might otherwise have by reason of said unauthorized holding and conveyance by such foreign corporation and all such conveyances heretofore made are hereby ratified and confirmed

Section 2 All acts and partsofacts are hereby repealed in so fare as they are inconsistent with the provisions of this act

Section 3 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando.	Goodling.	Markley.	Rovansek.
Andrews.	Graybill.	Maxwell.	Royer.
Banker.	Greenwood.	Mazza.	Rubin.
Barkdoll.	Greer.	McConnell.	Sarra.
Baumunk.	Guarnieri.	McCormack.	Sax.
Bear.	Gutendorf.	McCullough.	Scanlon.
Beaver.	Guthrie.	McDermitt.	Schmidt.
Beech.	Hagerty.	McGee.	Schuster.
Berkstresser.	Hall.	McInroy.	Scott.
Blair.	Hamilton, R. K.	McKinney.	Seyler.
Bloom.	Hamilton, W. H.	McMillen.	Shoemaker.
Boles.	Harney.	McNally.	Shotwell.
Bolton.	Haudenshield.	Metz.	Smith.
Bombberger.	Headlee.	Mihm.	Snider.
Bower.	Helm.	Mikula.	Sollenberger.
Brelsich.	Hersch.	Miller, H. G.	Spencer.
Breth.	Hewitt.	Miller, J. C.	Stank.
Brown.	Hocker.	Mills.	Stimmel.
Buechin.	Hoggard.	Mintess.	Stoner.
Byrne.	Hunter.	Monroe.	Swartz.
Cella.	Jenkins.	Moore, C. E.	Swope.



Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeaker,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL PASSED OVER

There being no objection

House Bill No. 617, Printer's No. 1121

was passed over at the request of the SPEAKER.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 319, as follows:

An Act to further amend Section 1 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing for the method of valuation of taxable shares of stock in any regulated investment company

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes"

as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1008) is hereby further amended to read as follows

Section 1 Be it enacted &c That all personal property of the classes hereinafter enumerated owned held or possessed by any resident which as used in this section shall mean any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorney-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and except the public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and except the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) as reenacted and amended all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares or a gross premiums tax or liable to or relieved from the capital stock or franchise tax for State purposes under the laws of this Commonwealth and all moneys loaned or invested in other states territories the District of Columbia or for-



eign countries all other moneyed capital owing to individual citizens of the State Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution employees' thrift or savings association whether operated by employees or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions it being the intent and purpose of this proviso that no tax be assessed or collected for the years one thousand nine hundred and thirty-five one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven one thousand nine hundred and thirty-eight one thousand nine hundred and thirty-nine one thousand nine hundred and forty and thereafter upon the personal property enumerated herein nor shall this act apply to the proceeds of any life insurance policy held in whole or in part by the insurer nor the principal value of annuities nor to any personal property held in any trust forming part of a stock bonus pension or profit sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as mere custodian for the real owner and except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals and provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose

under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received or acquired with proceeds of money or property received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company non resident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

For the purposes of this act the value of any taxable shares of stock issued by any regulated investment company as defined under the provisions of the Federal Internal Revenue Code of 1948 shall be that part of the current value of such shares to be determined by multiplying said current value by a fraction the numerator of which shall be the total value of so much of the personal property owned by the regulated investment company as would be taxable by this act if owned by a resident of Pennsylvania and the denominator of which shall be the total value of all of the personal property owned by the regulated investment company

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando.	Goodling.	Markley.	Rovansek.
Andrews.	Graybill.	Maxwell.	Royer.
Banker.	Greenwood.	Mazza.	Rubin.
Barkdoll.	Greer.	McConnell.	Sarrafa.
Baumunk.	Guarnieri.	McCormack.	Sax.
Bear.	Gutendorf.	McCullough.	Scanlon.
Beaver.	Guthrie.	McDermitt.	Schmidt.
Beech.	Hagerty.	McGee.	Schuster.
Berkstrosser.	Hall.	McInroy.	Scott.
Blair.	Hamilton, R. K.	McKinney.	Seyler.
Bloom.	Hamilton, W. H.	McMillen.	Shoemaker.
Boles.	Harney.	McNally.	Shotwell.
Bolton.	Haudenschild.	Metz.	Smith.
Bomberger.	Headlee.	Mihm.	Snider.
Bower.	Helm.	Mikula.	Soilenberger.
Brelsch.	Hersch.	Miller, H. G.	Spencer.
Breth.	Hewitt.	Miller, J. C.	Stank.
Brown.	Hocker.	Mills.	Stimmel.
Bucchin.	Hoggard.	Mintess.	Swartz.
Byrne.	Hunter.	Monroe.	Stoner.



Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leven,	Polen,	Westrick,
Ferster,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Filip,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Relly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection

Senate Bill No. 884, Printer's No. 624

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 891, as follows:

An Act to further amend section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting employes of school districts to serve as councilmen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" and reenacted revised and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No. 164) is hereby further amended to read as follows

Section 1001 Qualifications of Council The councilmen shall be at least twenty-five years of age and shall be elected by the electors at large They shall have been residents of the city wherein they shall be elected throughout one year next before their election and shall reside therein throughout their terms of service No officer of the United States or of the Commonwealth of Pennsylvania (except notaries public or officers of the militia) nor any county officer nor any officer [or employe] of any school district embraced in the territory of said city nor any officer or employe of said city or of any department thereof nor any member or employe of a

municipality authority of which the city is a member shall serve as a council man during his continuance or employment except as hereinafter provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varner,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBois,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weldner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Relly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker
Goodling,	Maxwell,		

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. KENT. Mr. Speaker, I move that House Bill No. 545, Printer's No. 612 together with communication from the Governor be taken from the table.

The motion was agreed to.



## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION  
RECALLING HOUSE BILL No. 545

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 3, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 545, Printer's No. 612, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## RECONSIDERATION OF VOTE

Mr. KENT. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. ROYER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Crawford Mr. Kent vote on the final passage of this bill?

Mr. KENT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Lancaster Mr. Royer vote on the final passage of this bill?

Mr. ROYER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. KENT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KENT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, Page 1, line 1 of Title, by striking out "amend Subsection (f) of Section 302 of" and inserting in lieu thereof "further amend."

Amend Title, Page 2, lines 7, 8 and 9 of Title, by striking out "providing that employers' reserve accounts shall not be charged with compensation paid to certain employes" and inserting in lieu thereof "further providing for determination of the compensation to be paid."

Amend Section 1, Page 2, line 1 of Section, by striking out "Subsection (f) of Section 302" and inserting in lieu thereof "Clause (d) of Section 404."

Amend Section 1, Page 3, lines 5, 6 and 7 of Section, by striking out "added by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1854) is hereby amended" and inserting in lieu thereof "last amended by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (Act No. 408) is hereby further amended."

Amend Bill, Page 3, by inserting between lines 7 and 8, the following "Section 404 Rate and Amount of Compensation Compensation shall be paid to each eligible employe in accordance with the following provisions of this section except that compensation payable with respect to weeks ending in benefit years which begin prior to the first day of October one thousand nine hundred fifty-one shall be paid on the basis of the provisions of this section in effect at the beginning of such benefit years

\* \* \* \* \*

(d) Notwithstanding any other provisions of this section each eligible employe who is unemployed with respect to any week ending subsequent to the effective date of this act shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less [(1)] that part of the remuneration if any paid or payable to him with respect to such week which is in excess of five dollars (\$5.00) [and (2) the amount of any pension or retirement payment paid or payable to him with respect to such week from any fund annuity or insurance which is financed in whole or in part by payments or premiums paid by a base year employer] Such compensation if not a multiple of one dollar (\$1.00) shall be computed to the next higher multiple of one dollar (\$1.00) Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employe for a week of unemployment ending during the next calendar quarter shall not be in excess of twenty dollars (\$20.00)."

Amend Section 1, Page 3, lines 8 to 19 both inclusive, by striking out all of said lines.

Amend Section 1, Page 4, lines 1 to 19 both inclusive, by striking out all of said lines.

Amend Section 1, Page 5, lines 1 to 19 both inclusive, by striking out all of said lines.

Amend Section 1, Page 6, lines 1 and 2, by striking out all of said lines.

Amend Section 2, Page 6, by inserting immediately after the word "enactment" on line 4, the following "and shall apply with respect to all claim weeks ending subsequent to the third day of October one thousand nine hundred fifty-one."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing

## BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HELM.

The House resumed the consideration on third reading of Senate Bill No. 742, entitled:

An Act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein and for the transfer during disasters and emergencies of such auxiliary police members of the regular police forces and police equipment thereof.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HELM. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 6, page 4, line 17, by striking out "(a)".

Amend Sec. 6, page 5, lines 13 to 19 both inclusive, by striking out all of said lines.

Amend Sec. 6, page 6, lines 1 to 12, both inclusive, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1056

Mr. TOMPKINS. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1056.

The SPEAKER. The report will lie over for printing under the rules.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 323, Printer's No. 1090 together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CON- CURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 323.

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barely and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by striking out after the word "of" the words and figures "thirty thousand dollars (\$30,000)" and inserting in lieu thereof the words and figures "fifteen thousand dollars (\$15,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No.

1142, Printer's No. 1095 together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CON- CURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1142.

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 8 and 9 by striking out after the second word "of" the words "seventeen million five hundred thousand dollars (\$17,500,000)" and inserting in lieu thereof the words "sixteen million dollars (\$16,000,000)"; page 3, line 5, by striking out after the word "of" the words "seventeen million one hundred and five thousand dollars (\$17,105,000)" and inserting in lieu thereof the words "fifteen million six hundred and five thousand dollars (\$15,605,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1224, Printer's No. 1110 together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CON- CURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1224.

An Act making an appropriation to aid certain school districts.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "five hundred thousand dol-



lars (\$500,000) four hundred ninety-eight thousand dollars (\$498,000)" and inserting in lieu thereof the following: "nine hundred ninety-eight thousand dollars (\$998,000)";

Amend Section 2, page 2, line 6, by striking out after the word "unless" the following: "the State Tax Equalization Board is satisfied that assessing authorities have been properly assessing real property within its jurisdiction and the school board is levying an adequate tax rate" and inserting in lieu thereof the following: "The conditions and provisions set forth in subsection (b) of section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) as amended are complied with."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1397, Printer's No. 1103 together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1397.

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "eight million dollars (\$8,000,000)" and inserting in lieu thereof the following: "three million nine hundred fifty-five thousand dollars (\$3,955,000)"; page 2, line 9, by striking out after the word "exceed" the following: "six million eight hundred thousand dollars (\$6,800,000)" and inserting in lieu thereof the following: "two million seven hundred and fifty-five thousand dollars (\$2,755,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1582, Printer's No. 1105 together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1582.

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Page 3, by striking out entire Section 3, lines 5 to 10 inclusive.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1421, Printer's No. 1117 together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1421.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, line 7, by inserting after the word "hundred" the words "fifty-four".

Line 7, by striking out after the word "dollars" the figures "(\$600,000)" and inserting the figures "(\$654,000)".

Page 4, line 11, by striking out after the word "million" the word "one" and inserting the word "two,"



Line 11, by striking out after the word "hundred" the word "twenty" and inserting the words "ninety-five;" line 12, by striking out after the word "dollars" the figures "\$2,120,000" and inserting the figures "\$2,295,000;"

Page 5, line 13, by striking out after the word "million" the word "one" and inserting the word "three;" line 14, by striking out after the part-word "dred" the words "eighty-five" and inserting the word "fifty;" line 14, by striking out after the word "dollars" the figures "\$1,185,000" and inserting the figures "\$1,350,000;" line 18, by striking out after the word "hundred" the words "twenty-five" and inserting the words "thirty-five;" line 19, by striking out after the part-word "lars" the figures "\$125,000" and inserting the figures "\$135,000;"

Page 6, line 12, by inserting after the figures "\$108,694" the following: "for the payment of legal fees publication of advertisements cost of engraving and any other expenses incurred in the issuing of tax anticipation notes the sum of fifty thousand dollars (\$50,000)"

Page 12, following line 2, insert the following: "August 15, 1951 \$471,250.00 \$471,250.00."

Page 12, line 4, by striking out figure "\$567,500.00" and inserting the figure "\$96,250.00;" line 4, by striking out figure "\$27,567,500.00" and inserting the figure "\$27,096,250.00;"

Page 13, line 4, by inserting after the word "Contest" the following: "The State Soil Conservation Commission in carrying out the provisions of the Soil Conservation District Law;" line 9, by striking out after the word "of" the word "three" and inserting the word "four;" line 9, by striking out after the word "million" the word "nine" and inserting the word "three;" line 10, by striking out after the word "hundred" the word "ten" and inserting the word "sixteen;" line 10, by striking out after the word "dollars" the figure "\$3,910,000" and inserting the figure "\$4,316,000;" after line 10, strike out lines 11 to 14 inclusive: "For the payment of salaries wages or other compensation of employees and for the payment of all other expenses necessary for carrying out the provisions of the 'Soil Conservation District Law' the sum of two hundred thousand dollars (\$200,000)."

Page 14, line 3, by inserting after the word "poultry" the following: "and the operation of diagnostic laboratories;"

Line 17, by striking out after the word "hundred" the words "seventy-five" and inserting the words "eighty-six;" line 17, by striking out after the word "dollars" the figures "\$175,000" and inserting the figure "\$186,000;"

Page 15, line 8, by inserting after the word "hundred" the words "thirty-two;" line 8, by striking out after the word "dollars" the figure "\$1,200,000" and inserting the figure "\$1,232,000;"

Page 15, line 13, by striking out after the word "hundred" the word "forty" and inserting the words "fifty-six;" line 13, by inserting after the word "thousand" the words "five hundred;" line 14, by striking out after the word "dollars" the figure "\$240,000" and inserting the figure "\$256,500;"

Page 16, line 10, by striking out after the word "million" the word "eight" and inserting the word "nine;" line 10, by inserting after the partword "fifty-" the word "five;" line 11, by inserting after the word "thousand" the words "five hundred;" line 11, by striking out after the word "dollars" the figure "\$5,850,000" and inserting the figure "\$5,955,500;" line 16, by striking out after the word "water" the following: "utilization of the Delaware River" and inserting the word "resources;" line 17, by striking out after the word "million" the word "two" and inserting the word "three;" line 18, by striking out after the word "dollars" the figure "\$2,250,000" and inserting the figure "\$2,350,000;"

Page 17, line 2, by striking out after the word "million" the words "one hundred;" line 3, by striking out after the word "dollars" the figure "\$1,165,000" and inserting the figure "\$1,065,000;"

Page 18, line 6, by striking out after the word "hundred" the words "twenty-five" and inserting the words "thirty-one;" line 6, by inserting after the word "thou-

sand" the words "two hundred;" line 7, by striking out after the word "dollars" the figure "\$225,000" and inserting the figure "\$231,200;"

Page 19, after line 1, insert the following: "For the payment of necessary expenses incurred for the rehabilitation prevention of erosion and protection of Preque Isle Peninsula the sum of five hundred thousand dollars (\$500,000)"

Page 20, line 6, by striking out after the second word "of" the words "ninety-eight" and inserting the words "one hundred one;" line 7, by inserting after the word "thousand" the words "five-hundred;" line 7, by striking out after the word "dollars" the figure "\$98,000" and inserting the figure "\$101,500;" line 8, inserting after the figure "\$101,500" the following: "For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Bushy Run Battlefield Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials photography distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of twenty-one thousand dollars (\$21,000)."

Page 21, line 10, by striking out after the word "of" the word "six" and inserting the word "seven;" line 10, by striking out after the word "million" the word "eight" and inserting the word "one;" line 11, by inserting after the partword "dred" the words "eighty-four;" line 11, by striking out after the word "dollars" the figure "\$6,800,000" and inserting in lieu thereof the following: "\$7,184,000" any portion of these funds may be used to carry out the provisions of the local health administration law with respect to State grants to county departments of health and to cities eligible for such grants."

Page 22, line 1, at the beginning of the line add the word "four;" line 1, by striking out after the word "dollars" the figure "\$250,000" and inserting in lieu thereof the following: "\$254,000" any portion of these funds may be used to carry out the provisions of the local health administration law with respect to State grants to county Departments of Health and to cities eligible for such grants." Line 10, by inserting after the word "forty-" the word "six;" line 10, by striking out after the word "dollars" the figure "\$240,000" and inserting in lieu thereof the following: "\$246,000" any portion of these funds may be used to carry out the provisions of the local health administration law with respect to state grants to county departments of health and o cities eligible for such grnts."

Page 23, line 8, by striking out after the word "of" the word "eleven" and inserting th eword "twelve;" line 8, by striking out after the word "million" the word "six" and inserting the word "two;" line 9, by striking out after the word "hundred" the word "fifty" and inserting the words "thirty-eight;" line 9, by striking out after the word "dollars" the figure "\$11,650,000" and inserting in lieu thereof the following: "\$12,238,000" any portion of these funds may be used to carry out the provisions of the local health administration law with respect to state grants to couny departments of health nd o ciies eligible for such grants."

Line 17, by inserting after the word "hundred" the words "forty-six;" line 18, by striking out after the word "dollars" the figure "\$6,400,000" and inserting the figure "\$6,446,000;"

Page 24, line 10, by inserting after the word "hundred" the words "forty-five;" line 11, by striking out after the word "dollars" the figure "\$1,400,000" and inserting the "\$1,445,000;"

Page 26, line 4, by inserting after the word "hundred" the words "seventy-two;" line 4, by striking out after the word "dollars" the figure "\$1,400,000" and inserting the figure "\$1,472,000;" line 17, by striking out the first word of the line "three" and inserting the word "five;" line 17, by serting after the word "hundred" the words



"seventy-five"; line 17, by striking out after the word "dollars" the figure "(\$4,300,000)" and inserting the figure "(\$4,575,000)";

Page 32, line 10, by striking out after the word "million" the word "one" and inserting the word "two"; line 11, by striking out after the part-word "dred" the words "ninety-four" and inserting the words "twenty-six"; line 11, by striking out after the word "dollars" the figure "(\$1,194,000)" and inserting the figure "(\$1,226,000)";

Page 33, line 14, by striking out after the word "million" the word "five" and inserting the word "seven"; line 15, by inserting after the word "hundred" the words "ninety-three"; line 15, by striking out after the word "dollars" the figure "(\$4,500,000)" and inserting the figure "(\$4,793,000)";

Page 35, line 17, by striking out after the word "hundred" the words "twenty-five" and inserting the words "thirty-nine"; line 18, by striking out after the word "dollars" the figure "(\$2,625,000)" and inserting the figure "(\$2,639,000)";

Page 38, line 6, by inserting after the word "of" the words "one million two"; line 6, by striking out after the word "two" the word "eight"; line 7, by striking out after the word "hundred" the words "ninety-seven"; line 7, by striking out after the word "dollars" the figure "(\$897,000)" and inserting in lieu thereof the following: "(\$1,200,000) For payment of the expenses necessary to rehabilitate the water lines piping and sewer connections in Capitol Park extension related to the widening of Forster street the sum of one hundred thousand dollars (\$100,000)"

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in the inspection of construction projects of the General State Authority the sum of four hundred thousand dollars (\$400,000)"

Page 39, line 5, by striking out after the word "million" the word "three" and inserting the word "four"; line 6, by inserting after the word "hundred" the word "fourteen"; line 6, by inserting after the word "thousand" the words "five hundred"; line 6, by striking out after the word "dollars" the figure "(\$1,300,000)" and inserting the figure "(\$1,414,500)"; line 14, by striking out after the word "million" the word "three" and inserting the word "four"; line 14, by inserting after the word "hundred" the word "six"; line 15, by inserting after the partword "sand" the words "five hundred"; line 15, by striking out after the word "dollars" the figure "(\$1,300,000)" and inserting the figure "(\$1,406,500)";

Page 40, line 3, by striking out after the word "hundred" the word "fifty" and inserting the word "ninety"; line 4, by inserting after the word "thousand" the words "five hundred"; line 4, by striking out after the word "dollars" the figure "(\$350,000)" and inserting the figure "(\$390,500)"; line 11, by inserting after the word "hundred" the words "eighty-one"; line 11, by striking out after the word "dollars" the figure "(\$900,000)" and inserting the figure "(\$981,000)";

Page 41, line 1, by striking out after the third word "of" the word "one" and inserting the word "two"; line 2, by striking out after the word "hundred" the word "ninety" and inserting the word "two"; line 2, by inserting after the word "thousand" the words "six hundred"; line 2, by striking out after the word "dollars" the figure "(\$190,000)" and inserting the figure "(\$202,600)"; line 8, by striking out after the word "of" the word "sixteen" and inserting the word "seventeen"; line 8, by inserting after the word "thousand" the words "two hundred"; line 8, by striking out after the word "dollars" the figure "(\$16,000)" and inserting the figure "(\$17,200)"; line 16, by striking out after the part-word "seventy-" the word "four" and inserting the word "nine"; line 16, by striking out after the word "dollars" the figure "(\$74,000)" and inserting the figure "(\$79,000)"; line 19, by striking out after the part-word "twenty-" the word "five" and inserting the word "six"; line 19, by inserting after the word "thousand" the words "two hundred"; line 20, by

striking out after the word "dollars" the figure "(\$25,000)" and inserting the figure "(\$26,200)";

Page 42, line 5, by inserting after the part-word "fifty-" the word "seven"; line 5, by inserting after the word "thousand" the words "three hundred"; line 6, by striking out after the word "dollars" the figure "(\$150,000)" and inserting the figure "(\$157,300)"; line 16, by inserting after the word "hundred" the word "twelve"; line 16, by striking out after the word "dollars" the figure "(\$200,000)" and inserting the figure "(\$212,000)";

Page 43, line 6, by striking out after the part-word "twenty-" the word "five" and inserting the word "six"; line 7, by inserting after the word "thousand" the words "three hundred"; line 7, by striking out after the word "dollars" the figure "(\$25,000)" and inserting the figure "(\$26,300)"; line 11, by inserting after the word "fifty" the word "seven"; line 11, by inserting after the word "thousand" the words "five hundred"; line 11, by striking out after the word "dollars" the figure "(\$150,000)" and inserting the figure "(\$157,500)"; line 17, by inserting after the word "paragraph" the following: "for the payment of salaries wages printing supplies and general expenses necessary to carry out the provisions of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled 'An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes' the sum of twenty thousand dollars (\$20,000)."

Page 44, line 11, by striking out after the word "hundred" the words "thirty-five" and inserting the words "sixty-two"; line 11, by striking out after the word "dollars" the figure "(\$435,000)" and inserting the figure "(\$462,000)";

Page 45, line 3, by striking out after the word "Colleges" the following: "and the Cheyney Training School for Teachers"; line 5, by striking out after the word "of" the word "ten" and inserting the word "eleven"; line 5, by striking out after the word "million" the word "five" and insert the word "six"; line 5, by striking out after the word "dollars" the figure "(\$10,500,000)" and insert the figure "(\$11,600,000)"; line 7, by striking out after the word "Colleges" the words "and the Cheyney Training School"; line 10, by striking out after the word "Colleges" the following: "and Training Schools"; line 11, by striking out after the word "college" the words "and school"; line 12, by striking out after the word "said" the words "school or";

Page 46, line 6, by striking out after the word "Pennsylvania" the figure "(\$300,000)" and insert the figure "(\$316,500)"; line 7, by striking out all of line as follows: "Pennsylvania Soldiers' Orphan School at Scotland"; line 8, by striking out first word of line "Pennsylvania" and inserting in lieu thereof the following: "Scotland School for Veterans' Children at Scotland Pennsylvania"; line 10, by striking out after the part-word "sylvania" the figure "(\$850,000)" and inserting the figure "(\$881,000)"; line 12, by striking out after the word "Pennsylvania" the figure "(\$600,000)" and inserting the figure "(\$618,000)";

Page 48, line 4, by striking out all of lines 4 to 9 inclusive as follows: "of Education may prescribe as provided by law the sum of two million five hundred thousand dollars And be it provided That not exceeding four hundred thousand dollars (\$400,000) of this appropriation may be expended with the Governor's approval in paying the cost of vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training" and inserting in lieu thereof the following: "of education may prescribe as provided by law the sum of two million eight hundred sixty-five thousand dollars (\$2,865,000) And be it provided that as much of this appropriation as can be made available may be expended with the Governor's approval in paying the cost of vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training."

Page 49, line 3, by inserting after the part-word "forty-"



the word "nine"; line 4, by striking out after the word "dollars" the figure "(\$140,000)" and inserting the figure "(\$149,000)";

Page 51, by inserting lines 4 to 20 inclusive, as follows: "for the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the public service institute including the Firemen's Training School at Lewistown the sum of one hundred twenty-four thousand dollars (\$124,000)"

For the payment of salaries wages general expenses supplies printing and equipment necessary to make a survey of public school plant facilities in the Commonwealth the sum of sixty thousand dollars (\$60,000) in addition all moneys received from the Federal government under public law 815 of the 81st Congress for this purpose shall be credited to the appropriation made by this paragraph"

Page 53, line 9, by striking out after the word "million" the word "four" and inserting the word "six"; line 10, by striking out after the word "hundred" the words "sixty-six" and inserting in lieu thereof the following: "forty-nine"; line 10, by striking out after the word "dollars" the figure "(\$3,466,000)" and inserting the figure "(\$3,649,000)";

Page 54, line 5, by striking out after the word "department" the following: "for the payment of the compensation of informants in escheats and the fees and expenses of escheaters"; line 12, by striking out after the word "million" the word "three" and inserting the word "eight"; line 13, by striking out after the part-word "thirty-" the word "five" and inserting the word "four"; line 13, by striking out after the word "dollars" the figure "(\$5,335,000)" and inserting the figure "(\$5,834,000)"; line 17, by inserting after the word "purposes" the following: "for the payment of the compensation of informants in escheats and the fees and expenses of escheaters the sum of three hundred sixty-five thousand dollars (\$365,000)."

Page 56, line 4, by striking out after the word "hundred" the words "forty thousand" and inserting in lieu thereof the following: "seventy-six thousand"; line 5, by striking out after the word "dollars" the figure "(\$540,000)" and inserting the figure "(\$576,000)";

Page 57, line 2, by striking out after the word "hundred" the word "forty" and inserting the words "fifty-five"; line 3, by inserting after the part-word "sand" the words "five hundred"; line 3, by striking out after the word "dollars" the figure "(\$240,000)" and inserting the figure "(\$255,500)";

Page 60, line 14, by inserting after the word "million" the following: "three hundred thirty thousand"; line 15, by striking out after the word "dollars" the figure "(\$6,000,000)" and inserting the figure "(\$6,330,000)";

Page 61, line 8, by inserting after the word "hundred" the words "twenty-two"; line 9, by striking out after the word "dollars" the figure "(\$1,100,000)" and inserting the figure "(\$1,122,000)";

Page 62, line 3, by striking out after the word "hundred" the part-word "twenty-" and inserting the part-word "thirty-"; line 4, by striking out after the word "dollars" the figure "(\$425,000)" and inserting the figure "(\$435,000)"; line 13, by striking out after the word "hundred" the words "twenty-five" and inserting the words "thirty-three"; line 14, by inserting after the word "thousand" the words "three hundred"; line 14, by striking out after the word "dollars" the figure "(\$225,000)" and inserting the figure "(\$233,300)";

Page 63, line 17, by striking out at the beginning of the line the word "fifteen" and inserting in lieu thereof the word "sixteen"; by striking out after the word "million" the word "seven" and inserting in lieu thereof the word "one"; by striking out after the word "hundred" the word "seventy-three" and inserting in lieu thereof the word "sixty-three"; line 18 by striking out after the word "dollars" the figures "(\$15,773,000)" and inserting in lieu thereof the figures "(\$16,163,000)".

Page 65, line 17, by striking out after the word "sixty-"

the word "eight" and inserting in lieu thereof the word "nine"; by inserting after the word "million" the words "eight hundred forty thousand"; line 18, by striking out after the word "dollars" the figures "(\$68,000,000)" and inserting in lieu thereof the figures "(\$69,840,000)";

Page 67, line 2, by striking out after the word "million" the word "two" and inserting in lieu thereof the word "five"; line 3, by striking out after the word "hundred" the word "fifty" and inserting in lieu thereof the word "forty-five"; and by striking out after the word "dollars" the figures "(\$13,250,000)" and inserting in lieu thereof the figures "(\$13,545,000)"; line 19 by striking out after the second word "of" the word "nine" and inserting in lieu thereof the word "ten";

Page 68, line 1, by striking out at the beginning of the line the words "seven hundred fifty" and inserting in lieu thereof the words "forty-five"; and by striking out after the word "dollars" the figures "(\$9,750,000)" and inserting in lieu thereof the figures "(\$10,045,000)"; line 6, by striking out at the beginning of the line the word "four" and inserting in lieu thereof the word "five"; by striking out after the word "hundred" the word "eighty" and inserting in lieu thereof the word "four"; by inserting after the word "thousand" and words "seven hundred fifty"; line 7 by striking out after the word "dollars" the figures "(\$480,000)" and inserting in lieu thereof the figures "(\$504,750)".

Page 69, line 6, by striking out at the beginning of the line the word "fifty" and inserting in lieu thereof the word "ninety-five"; and by striking out after the word "dollars" the figures "(\$1,550,000)" and inserting in lieu thereof the figures "(\$1,595,000)" and by inserting the following:

#### "To the State Tax Equalization Board

For the payment of salaries of members of the board and salaries wages or other compensation of employes for payments to county commissioners under the provisions of section nine of act 447 approved June 27 1947 (P. L. 1046) and for the payment of the costs of supplies equipment and all other expenses necessary for the proper conduct of the work of the board the sum of four hundred fifty thousand dollars (\$450,000)"

Page 73, line 1, by striking out after the second word "of" the word "six" and inserting in lieu thereof the word "seven"; line 2, by striking out at the beginning of the line the word "seventy" and inserting in lieu thereof the word "six"; and by inserting after the word "thousand" the words "five hundred"; and by striking out after the word "dollars" the figures "(\$670,000)" and inserting in lieu thereof the figures "(\$706,500)";

Page 74, line 12, by striking out after the second word "of" the word "one" and inserting in lieu thereof the word "two"; line 13, by striking out after the word "hundred" the word "fifty-one" and inserting in lieu thereof the word "fifteen"; by striking out after the word "dollars" the figures "(\$151,000)" and inserting in lieu thereof the figures "(\$215,000)"; line 16, by striking out after the word "hundred" the word "twoney" and inserting in lieu thereof the word "eighty"; and by striking out after the word "dollars" the figures "(\$120,000)" and inserting in lieu thereof the figures "(\$180,000)".

Page 86, line 13, by striking out after the word "of" the words "six hundred twenty-five" and inserting in lieu thereof the words "one million forty-one"; line 14, by striking out after the word "dollars" the figures "(\$625,000)" and inserting in lieu thereof the figures "(\$1,041,000)"; line 17, by striking out after the word "of" the word "five" and inserting in lieu thereof the word "seven"; and by inserting after the word "hundred" the words "forty-eight"; line 18, by inserting after the word "thousand" the words "eight hundred"; and by striking out after the word "dollars" the figures "(\$500,000)" and inserting in lieu thereof the figures "(\$748,800)".

Page 100, line 1, by striking out after the word "hundred" the word "fifty" and inserting in lieu thereof the word "seventy"; by striking out after the word "dollars"



the figures "\$150,000" and inserting in lieu thereof the figures "\$170,000".

Page 103, line 11, by inserting after the part word "fifty-" the word "four" and by inserting after the word "thousand" the words "six hundred forty"; line 12, by striking out after the word "dollars" the figures "\$50,000" and inserting in lieu thereof the figures "\$54,640".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 792, Printer's No. 852 together with communication from the Senate be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 792.

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates and for their admission to and care therein and the payment of the cost thereof and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 3, by striking out after the word "a" the word "person" and inserting in lieu thereof the word "physician"; line 4, by striking out after the word "least" the words "three years" and inserting in lieu thereof the words "one year"; line 5, by inserting after the word "medicine" the words "or osteopathy"; line 6 by inserting after the word "medicine" the words "or osteopathy".

Amend Section 5, page 5, line 10, by striking out after the word "one" the word "years" and inserting in lieu thereof the word "year"; line 11, by inserting after the word "medicine" the words "or osteopathy"; line 13, by inserting after the word "medicine" the words "or osteopathy".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Marklev,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer.
Banker,	Greenwood,	Mazza,	Rubin.
Barkdoll,	Greer,	McConnell,	Sarraf.

Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon.
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Milkula,	Sollenberger,
Brelsich,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Pettigrew,	Wargo,
DuBois,	Kratz,	Petrosky,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Fenster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg.
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1135, Printer's No. 1093 together with communication from the Senate be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1135.

An Act to amend the title and Sections 2 and 3 of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equip-

ment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" by authorizing the State Council to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind accept Federal funds

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 2, line 4, by striking out after the word "funds" the words "and making an additional appropriation."

Amend the bill, page 5, by striking out all of lines 9 to 12 inclusive.

Amend the bill, page 5, line 13, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "2".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,
Andrews,	Graybill,	Maxwell,
Banker,	Greenwood,	Mazza,
Barkdoll,	Greer,	McConnell,
Baumunk,	Guarnieri,	McCormack,
Bear,	Gutendorf,	McCullough,
Beaver,	Guthrie,	McDermitt,
Beech,	Hagerty,	McGee,
Berkstresser,	Hall,	McInroy,
Blair,	Hamilton, R. K.,	McKinney,
Bloom,	Hamilton, W. H.,	McMillen,
Boles,	Harney,	McNally,
Bolton,	Haudenshield,	Metz,
Bomberger,	Headlee,	Mihm,
Bower,	Helm,	Mikula,
Breisch,	Hersch,	Miller, H. G.,
Breth,	Hewitt,	Miller, J. C.,
Brown,	Hocker,	Mills,
Bucchin,	Hoggard,	Mintess,
Byrne,	Hunter,	Monroe,
Cella,	Jenkins,	Moore, C. E.,
Clapper,	Johnson,	Moore, H. A.,
Clendenning,	Jones, G. E.,	Moran,
Cochran,	Jones, J. M.,	Muldowney,
Conway,	Jones, P. F.,	Munley,
Cooper,	Jones, T. H. W.,	Murray,
Corr,	Jump,	Musto,
Costa,	Kamyk,	Najaka,
Coyle,	Keller,	Naugle,
Dalrymple,	Kent,	Needham,
Davis,	Kline,	Olsen,
Dennison,	Kohl,	Penglase,
Dougherty,	Kolankiewicz,	Peta,
Dowling,	Kornick,	Petrosky,
DuBois,	Kratz,	Pettigrew,
Duffy,	Kubacki,	Pfaff,
Dunn,	Lafore,	Pichney,
Erb,	Lederer,	Pitzer,
Ewing,	Leisey,	Polaski,
Fenrich,	Leonard, L.,	Polen,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,
Filip,	Leven,	Price, R. A.,
Filo,	Light,	Readinger,
Firmstone,	Limper,	Reagan,
Flack,	Loftus,	Reese,
Frost,	Lopresti,	Reidenbach,
Gaffney,	Lovett,	Reilly, J. M.,
Geer,	Lutty,	Rigby,
Gibson,	Lyons,	Riley, R. L.,
		Young,

Gleason,  
Good.

Madden,  
Madigan,

Robertson,  
Rose,  
Rosen.

Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1149, Printer's No. 1096 together with communication from the Senate be taken from the table.

The motion was agreed to.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1149.

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, Page 1, Line 1, by striking out after the word "of" the words "one hundred fifty thousand dollars (\$150,000)" and inserting in lieu thereof the words "ninety-seven thousand five hundred dollars (\$97,500)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,



Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Waterhouse,
DuBois,	Kratz,	Pettigrew,	Weidner,
Duffy,	Kubacki,	Pfaff,	Welsh,
Dunn,	Lafore,	Pichney,	Wargo,
Erb,	Lederer,	Pitzer,	Watkins,
Ewing,	Leisey,	Polaski,	Wescott,
Filo,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1152, Printer's No. 1109 together with communication from the Senate be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1152.

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system in and changing the laws relating thereof" by providing for cluding certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of children physically handicapped by speech and hearing defects at rehabilitation centers provided by the Department of Public Instruction and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments

The Clerk read the amendments as follows:

Amend Title by striking out lines 1, 2 and 3 and insert-

ing in lieu thereof the following "To amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of children physically handicapped by speech and hearing defects at rehabilitation centers provided by the Department of Public Instruction and making an appropriation

Amend Bill by inserting after Preamble a new section as follows

Section 1 The act approved the tenth day of May one thousaund nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after section 1372 thereof a new section to read as follows

Section 1372.1 Speech and Hearing Rehabilitation Centers The Department of Public Instruction is hereby authorized to provide maintain administer supervise and operate speech and hearing rehabilitation centers for the proper training of childre nphysically handicapped by speech and hearing defects pupil eligibility for such centers shall be determined according to standards and regulations promulgated by the State Council of Education

Amend bill, Page 3, line 11, by striking out after the word "Section" the figure "1" and inserting in lieu thereof the figure "2"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek.
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	

Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1541, Printer's No. 1104 together with communication from the Senate be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1541.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the In-codel Plan a four-State compact between New Jersey Delaware and Pennsylvania for the purpose of developing utilizing controlling and conserving the water Resources of the Delaware River Basin.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the Title, page 1, line 4, by striking out after the word "compact" the following: "for the distribution among" and inserting in lieu thereof the word "between;" page 1, line 6, by striking out after the word "Pennsylvania" the following: "of the waters" and inserting in lieu thereof the following: "for the purposes of developing utilizing controlling and conserving the water resources."

Amend Section 1, page 2, line 1, by striking out after the word "of" the following: "two hundred fifty thousand dollars (\$250,000)" and inserting in lieu thereof the following: "three hundred fifty thousand dollars (\$350,000);" page 2, line 9, by striking out after the part-word "pact" the following: "for the distribution among" and inserting in lieu thereof the word "between;" page 2, line 10, by striking out after the word "Pennsylvania" the following: "of the waters" and inserting in lieu thereof the following: "for the purposes of developing utilizing controlling and conserving the water resources."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Geer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Gutendorf,	McCormack,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Meiz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenen,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Greer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 1654, Printer's No. 1106 together with communication from the Senate be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill



from the House of Representatives numbered and entitled as follows:

# HOUSE BILL No. 1654.

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by striking out after the word "of" the words "three hundred fifty thousand dollars (\$350,000)" and inserting in lieu thereof the following "three hundred thousand dollars (\$300,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,
Andrews,	Graybill,	Maxwell,
Banker,	Greenwood,	Mazza,
Barkdoll,	Greer,	McConnell,
Baumunk,	Guarnieri,	McCormack,
Bear,	Gutendorf,	McCullough,
Beaver,	Guthrie,	McDermitt,
Beech,	Hagerty,	McGee,
Berkstresser,	Hall,	McInroy,
Blair,	Hamilton, R. K.,	McKinney,
Bloom,	Hamilton, W. H.,	McMillen,
Boles,	Harney,	McNally,
Bolton,	Haudenshield,	Metz,
Bomberger,	Headlee,	Mihm,
Bower,	Helm,	Mikula,
Breisch,	Hersch,	M. H. G.,
Breth,	Hewitt,	Miller, J. C.,
Brown,	Hocker,	Mills,
Bucchin,	Hoggard,	Mintess,
Byrne,	Hunter,	Monroe,
Cella,	Jenkins,	Moore, C. E.,
Clapper,	Johnson,	Moore, H. A.,
Clelandening,	Jones, G. E.,	Moran,
Cochran,	Jones, J. M.,	Muldowney,
Conway,	Jones, P. F.,	Munley,
Cooper,	Jones, T. H. W.,	Murray,
Corr,	Jump,	Musto,
Costa,	Kamyk,	Najaka,
Coyle,	Keller,	Naugle,
Dalrymple,	Kent,	Needham,
Davis,	Kilne,	Olsen,
Dennison,	Kohl,	Penglase,
Dougherty,	Kolankiewicz,	Peta,
Dowling,	Kornick,	Petrosky,
DuBois,	Kratz,	Pettigrew,
Duffy,	Kubacki,	Pfaff,
Dunn,	Lafore,	Pichney,
Erb,	Lederer,	Pitzer,
Ewing,	Leisey,	Polaski,
Fenrich,	Leonard, L.,	Polen,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,
Filip,	Leven,	Price, R. A.,
Filo,	Light,	Readinger,
Firmstone,	Limper,	Reagan,
Flack,	Loftus,	Reese,
Frost,	Lopresti,	Reidenbach,
Gaffney,	Lovett,	Relly, J. M.,
Geer,	Lutty,	Rigby,
Gibson,	Lyons,	Riley, R. L.,
Gleason,	Madden,	Robertson,
		Rovansek,
		Royer,
		Rubin,
		Sarra,
		Sax,
		Scanlon,
		Schmidt,
		Schuster,
		Scott,
		Seyler,
		Shoemaker,
		Shotwell,
		Smith,
		Snider,
		Sollenberger,
		Spencer,
		Stank,
		Stimmel,
		Stoner,
		Swartz,
		Swope,
		Tahl,

Good,

Madigan,

Rose,  
Rosen,

Sorg,  
Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## STATEMENT BY MR. ANDREWS

Mr. ANDREWS. Mr. Speaker, we no longer object to the consideration and enactment of Senate Bill No. 729 on the postponed calendar. It can be called up any time, and I hope it passes.

## SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1215.

An Act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 7, by striking out at the end of the line the figure "\$6;" and inserting in lieu thereof the figure "\$5."

Amend Section 7, page 5, line 9, by striking out after the figure "(1)" the word "The" and inserting in lieu thereof the words "Section one of the."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,

Glendenning,	Jones, G. E.	Moran,	Taylor,
Cochran,	Jones, J. M.	Muldowney,	Thompson, E. F.
Conway,	Jones, P. F.	Munley,	Thompson, R. L.
Cooper,	Jones, T. H. W.	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.	Polen,	Westrick,
Ferster,	Leonard, W. C.	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yetzer,
Geer,	Lutty,	Reilly, J. M.,	Wood,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker.

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL NO. 1639.

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, Page 6, by striking out lines 1 to 8 inclusive, as follows: "(f) Every teacher shall submit documentary evidence of at least one (1) year's successful teaching experience in a private or public driver training school or class or submit documentary evidence of the successful completion of a minimum of three (3) semester hours of study in driver education at a teachers training institution of collegiate level approved or credited by the Department of Public Instruction or in the case of an institution located outside this Commonwealth by the comparable educational authority of another state provided however that anyone presently engaged in teaching driver education who does not possess the qualifications herein required may be given a temporary certificate by the Department of Public Instruction and shall within the period of one year from the date of such temporary certificate present the necessary qualifications application for such temporary certificate must be made within ninety days from the effective date of this act."

Amend Section 4, Page 7, line 9, by striking out the letter "(g)" and inserting in lieu thereof the letter "(F)."

Amend Section 4, Page 7, by striking out lines 13 and 14 completely, as follows: "Three (3) semester hours of study in driver education as set forth in Section 4 (2) (f) may be substituted for each year of teaching experience."

Amend Section 4, Page 7, line 15, by striking out the letter "(h)" and inserting in lieu thereof the letter "(G)."

Amend Section 4, Page 7, line 18, by striking out the letter "(g)" and inserting in lieu thereof the letter "(F)."

Amend Section 4, Page 9, by striking out all of lines 5 to 17 inclusive, as follows: "(a) The minimum length of the driver education or training course for persons who have a learner's permit shall be twelve (12) clock hours distributed as follows four (4) clock hours of theoretical instruction and eight (8) clock hours of practical instruction."

(b) Theoretical instruction in driver education shall include subject matter relating to rules and regulations of the road pedestrians safety good driving practices types and application of automobile insurance care and mechanics of motor vehicles driver responsibility theory of driving and the use of safety devices types and purposes of cowl instruments.

(c) Practical instruction in driver education shall include the demonstration of and instruction in starting stopping shifting turning backing parking and steering."

Amend Section 4, Page 9, by adding lines 18, 19 and 20 as follows: "(a) Driver training schools licensed under this act shall make available both the theoretical and practical instruction."

Amend Section 4, Page 10, by adding all of lines 1 to 19 inclusive and Page 11, by adding all of lines 1 and 2 inclusive, as follows: "(b) Theoretical instruction in driver education shall include subject matter relating to rules and regulations of the road safe driving practices pedestrian safety care and mechanics of motor vehicles driver responsibility theory of driving types of automobile insurance and the use of automobile safety devices."

(c) Practical instruction in driver education shall include the demonstration of and actual instruction in starting stopping shifting turning back parking and steering in a training vehicle which shall meet the requirements of the Department of Public Instruction.

(d) Driver training schools licensed under this act shall publish a schedule of prospectus of fees or charges for behind-the-wheel lessons classroom lessons refresher lessons and all other fees or charges made by the school. A copy of a prospectus setting forth the aforesaid information shall be filed with the Department of Public Instruction."

Amend Section 4, Page 12 by striking out all of lines 5 to 11 inclusive, as follows: "(7) Prospectus Information."

(a) Printed catalogs bulletins pamphlets or any other form of prospectus information shall be specific and accurate with respect to the requirements for admission to the school number of clock hours of instruction to complete the course tuition and all other fees or charges. Copies of any form of prospectus information shall be filed with the department."

Amend Section 4, Page 12, Line 12, by striking out the figure "(8)" and inserting in lieu thereof the figure "(7)."

Amend Section 4, Page 13, line 11, by striking out the figure "(9)" and inserting in lieu thereof the figure "(8)."

Amend Section 10, Page 18, line 2, by striking out after the word "fee" the following "of one hundred dollars (\$100) and each application for the renewal of such license shall be accompanied by a license fee of fifty dollars (\$50)" and inserting in lieu thereof the following: "Equal to ten dollars (\$10) for each teacher used or employed at any one time the first application shall be accompanied by the fee based on the highest number of teachers used or employed at any one time during the twelve months immediately preceding the effective date of this act or if the applicant is first commencing to operate after said date the fee shall be based on the highest number of teachers estimated to be employed at any one



time during the first six months of the year for which the license is to be effective if during the first six months such applicant shall use or employ at any one time more teachers than the number he estimated he shall pay the additional fee due therefor at the time he applies for his next renewal. Each renewal application shall be accompanied by the fee based on the highest number of teachers used or employed at any one time during the license year immediately preceding the year for which the renewal is to be effective."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelach,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolanklewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lelsey,	Pitzer,	Welsh,
Ewing,	Lederer,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	
Flack,	Loftus,	Reese,	
Frost,	Lopresti,	Reidenbach,	
Gaffney,	Lovett,	Reilly, J. M.,	
Geer,	Lutty,	Rigby,	
Gibson,	Lyons,	Riley, R. L.,	
Gleason,	Madden,	Robertson,	
Good,	Madigan,	Rose,	
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. KRATZ.

The House resumed the consideration on third reading of Senate Bill No. 729, as follows:

An Act to repeal Sections 2 and 3 of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city" by eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 2 and 3 of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city" are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Mazza,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	McConnell,	Rubin,
Barkdoll,	Greer,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Mills,	Sollenberger,
Breisch,	Hewitt,	Miller, H. G.,	Spencer,
Breth,	Hocker,	Miller, J. C.,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolanklewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,

Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good	Markley,	Rosen,	Sorg,
			Speaker

## NAYS—1

Guarnieri,

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

### REPORTS FROM COMMITTEES

Mr. ZIEGLER from the Committee on Judiciary reported as committed Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State.

Mr. VAN SANT from the Committee on Game and Forestry reported as committed Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture.

Mr. GLEASON from the Committee on Game and Forestry reported as committed Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the laws relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only and authorizing licenses and tags for groups of counties.

### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, 1951, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the laws relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only and authorizing licenses and tags for groups of counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour and fifteen minutes. The Chair hears none and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

#### SENATE BILL No. 894.

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for



the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed.

Referred to the Committee on Municipal Corporations.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1731, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1198) entitled "An act relating to employees and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employees contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" providing further conditions upon the issuance of injunctions in labor disputes

On the question,  
Shall the bill pass finally?

### RECONSIDERATION OF VOTE

Mr. KENT: Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. HALL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Crawford Mr. Kent vote on third reading of this bill?

Mr. KENT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Potter Mr. Hall vote on third reading of this bill?

Mr. HALL. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. KENT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 2, (Sec. 16), page 7, line 11, by striking out "ninety (90)" and inserting in lieu thereof "forty-five (45)."

Amend Sec. 2, (Sec. 16), page 7, line 16, by striking out "ninety (90)" and inserting in lieu thereof "forty-five (45)."

Amend Sec. 2 (Sec. 16), page 7, line 17, by striking out "ninety (90)" and inserting in lieu thereof "forty-five (45)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### MEMBERS THANKED

The SPEAKER. The Chair thanks the Members for their indulgence during this apparent lapse of time and wishes to assure them that the time consumed will eventually result in a considerable saving of time in completing the day's business.

### REPUBLICAN AND DEMOCRATIC CAUCUSES

The SPEAKER. Immediately upon the calling of a recess, there will be a Republican Caucus in the new House Caucus Room and a Democratic Caucus in the old House Caucus Room.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour. The Chair hears none and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HEWITT asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

### BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. PENGLASE.

The House resumed the consideration on third reading of Senate Bill No. 769 as follows:

An Act requiring all buildings under construction or alteration which are to be five stories or more in height to be equipped with a temporary hoist or hoisting device or equipment for the use of building construction workmen imposing certain duties upon the Department of Labor and Industry and providing penalties  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Temporary hoist or hoisting device or equipment required for buildings under construction or alteration after the effective date of this act It shall be unlawful for any person to undertake the construction or alteration of a building which shall upon completion be five stories or more in height unless in connection with such construction or alteration of said building such person shall erect for the use of the building construction workers employed in connection with the construction or alteration of such building a temporary hoist or hoisting device or equipment of such kind and character as may be necessary for the transportation of workmen and materials in accordance with the regulations of the Department of Labor and Industry for temporary hoists hoisting devices or equipment

Section 2 Definition Person shall mean any natural person corporation partnership or association

Section 3 Enforcement it shall be the duty of the Department of Labor and Industry to enforce the provisions of this act

Section 4 Procedure in prosecutions Prosecutions for violations of the provisions of this act or the rules and regulations of the department may be instituted by the department and shall be in the form of summary proceedings before an alderman magistrate or justice of the peace Upon conviction after a hearing the penalties hereinafter provided for shall be imposed and shall be final unless an appeal be taken to a court of proper jurisdiction in the manner prescribed by law

Section 5 Penalties Any person who shall violate any of the provisions of this act or the rules and regulations of the department as herein provided for shall for the first offense be penalized by a fine or not more than one hundred dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than ten days and for each subsequent offense shall be penalized by a fine or not more than two hundred dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than thirty days

All fines collected under this act shall be forwarded to the Department of Labor and Industry who shall transmit the same to the State Treasury through the Department of Revenue

Section 6 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, first line of Title, by inserting after the word "all" the following: "new."

Amend Title, page 1, first line of Title, by striking out the words "under construction."

Amend Title, page 1, line 2 of Title, by striking out the word "alteration" and inserting in lieu thereof "additions to existing buildings."

Amend Title, page 1, line 2 of Title, by striking out the word "five" and inserting in lieu thereof "seven."

Amend Title, page 1, line 3 of Title by inserting after the word "equipped" the following: "during the course of construction."

Amend Title, page 1, lines 3 and 4 of Title, by striking out the word "temporary."

Amend Title, page 1, line 4 of Title, by inserting after the word "equipment" the following: "with the required safety devices."

Amend Sec. 1, page 2, line 12 by striking out the word "temporary" and inserting in lieu thereof "hoisting requirements."

Amend Sec. 1, page 2, line 13, by inserting after the word "for" the following: "new."

Amend Sec. 1, page 2, lines 13 and 14 by striking out the words "under construction or alteration" and inserting in lieu thereof "or additions to existing buildings started."

Amend Sec. 1, page 3, line 2 by striking out the words "undertake the construction or alteration of" and inserting in lieu thereof "construct or make an addition to."

Amend Sec. 1, page 3, line 3, by striking out the word "five" and inserting in lieu thereof "seven."

Amend Sec. 1, page 3, lines 4 and 5 by striking out the words "in connection with such construction or alteration of said" and inserting in lieu thereof "during the course of construction of the."

Amend Sec. 1, page 3, line 8 by striking out the words "or alteration."

Amend Sec. 1, page 3, line 9 by inserting after the word "building" the following "or an addition."

Amend Sec. 1, page 3, line 9 by inserting after the word "temporary" the following: "or permanent."

Amend Sec. 1, page 3, lines 10 and 11 by striking out the words "of such kind and character as may be necessary" and inserting in lieu thereof "with the required safety devices."

Amend Sec. 1, page 3, lines 12 by inserting after the word "workmen" the following: "employed on or above the seventh floor."

Amend Sec. 1, page 3, line 14 by inserting after the word "temporary" the following "or permanent."

Amend Sec. 4, page 4, line 9 by striking out the word "may" and inserting in lieu thereof "shall."

Amend the bill, page 5, line 14 by inserting after the word "Section" the following: "6. Effective Date."

Amend the bill, page 5, line 15 by striking out the words "immediately upon final enactment" and inserting in lieu thereof "ninety (90) days after the date of its final enactment and shall apply only to new construction or any additions begun thereafter."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. PENGLASE. Mr. Speaker, the amendments just offered by Mr. Hamilton, from Philadelphia, were amendments that were agreed upon in a conference this morning between all Members concerned in this bill. I would like to call attention to the fact that we are agreed on the amendments and we would ask you to vote for them.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I desire to thank the gentleman from Philadelphia, Mr. Penglase, and simply add that everybody is supremely happy during the Christmas season.

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## RECONSIDERATION OF VOTE

Mr. TOOMEY. Mr. Speaker, I move that the vote by which House Bill 1308, Printer's No. 1138, entitled:

An Act to further amend sections two and seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further defining the term "municipality" to include joint-county departments of health by defining the term "joint-county health commission" and by providing that joint-county departments of health may join the retirement system.

was ordered transcribed for third reading, be reconsidered.



Mr. HAROLD G. MILLER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Perry vote on ordering to transcribe the bill for third reading?

Mr. TOOMEY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair Mr. Miller vote?

Mr. HAROLD G. MILLER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. TOOMEY. Mr. Speaker, I move that the vote by which the title and the various sections were agreed to be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOOMEY offered the following amendments:

Amend Sec. 1 (Sec. 2), page 5, line 12, by inserting after the word "classification" the following: "unless the municipality has elected to limit to ten years the period of such service."

Amend Sec. 1 (Sec. 2), page 5, by inserting between lines 12 and 13, the following: "Prior Salary." the annual salary or compensation earned by a municipal employe and paid by the municipality during the year immediately preceding the date the municipality by which he is employed joined the retirement system established by this act. In computing prior salary, if the amount thereof shall exceed four thousand dollars (\$4,000) it shall for the purpose of this act, be limited to four thousand dollars (\$4,000)."

Amend Sec. 1 (Sec. 2), page 5, line 13, by striking out the word "sixty" and inserting in lieu thereof: "sixty-five."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TOOMEY offered the following amendment:

Amend Sec. 2 (Sec. 7), page 9, line 2, by striking out the word "conviction" and inserting in lieu thereof: "petition."

It was agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1551, entitled:

An Act requiring approval of the interested electorate to initiate housing projects by housing authorities in certain political subdivisions

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. EWING offered the following amendment:

Amend Sec. 2, page 3, lines 3 and 4, by striking out the words "immediately upon final enactment" and inserting in lieu thereof: "on the first day of January, one thousand nine hundred fifty-three."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1742, entitled:

An Act to amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by providing for a State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. STIMMEL offered the following amendments:

Amend Sec. 2 (Sec. 24), page 2, line 14, by striking out "or."

Amend Sec. 2 (Sec. 24), page 2, line 14, by inserting after the word "monthly" the following: "quarterly, semi-annual or annual."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. LOVETT offered the following amendment:

Amend Sec. 3, page 5, line 2, by striking out the words "fifty-one" and inserting in lieu thereof: "fifty-two."

On the question,

Will the House agree to the amendment?

Mr. LOVETT. Mr. Speaker the amendments that I have just offered change the effective date of the act. I say to you, "Let's be fair!"

I have been a Member of this House for 20 years and I have never known a time that we have passed a bill in the dying hours of the year and made it effective the first of that year. So, I say to you as Members of the Assembly, this is one amendment in which you should be fair. Make this effective January 1, 1952, and you will be fair in your decisions.

I ask you to support this amendment.

Mr. SMITH. Mr. Speaker, I would ask that the House vote down these proposed amendments. I cannot say that I disagree with the gentleman too much in his thinking, but we have estimated this bill to bring in so much money. It has been estimated since the beginning of the year. We need the money. We must have the money. We are making it a temporary tax for the insurance companies, and I would ask, for those reasons, that we vote these amendments down.

Mr. ANDREWS. Mr. Speaker, it was fairly early in the session—not so late as it is now—that the House declared its mandate as far as taxing the sources of revenue which are covered in this bill.

When this particular bill was before the House, I voted against it. However, as I pointed out, the House has declared its intention of attacking this particular source of revenue—the source embodied in this bill. The sources of revenue which the House in its wisdom decided to attack were sources of revenue which had been taking a free ride in the state for a great many years; sources of revenue which in times of financial stress, so far as the affairs of the Commonwealth are concerned, can justly and properly be called upon to make their equitable contribution to the support of the activities from which the people of this Commonwealth benefit.

I am, therefore, opposing the amendments offered by the gentleman from Westmoreland.

Mr. LOVETT. Mr. Speaker, may I interrogate the Majority Leader?

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if this particular bill was in the first package or the second package? I am a little confused in the packages which we have had in this session of the Legislature.

Mr. SMITH. Mr. Speaker, I can answer the gentleman by saying this was in the second package. The first was not a package, really.

Mr. LOVETT. Mr. Speaker, will the gentleman please tell this House at what date the second package was presented in this General Assembly?

Mr. SMITH. If I may approximate, I would say about four months ago, five months ago. I could definitely tell the gentleman if he would like me to look up the history.

Mr. LOVETT. Mr. Speaker, I would like the exact date on which we passed the original bill in the House of Representatives.

Mr. SMITH. Would the gentleman, Mr. Speaker, happen to have the number of the bill so I could look it up?

Mr. LOVETT. Mr. Speaker, I am sorry I cannot furnish that information.

Mr. SMITH. Mr. Speaker, if the gentleman has patience, I will search for it.

The SPEAKER. For what purpose does the gentleman from Lehigh, Mr. Stimmel, rise?

Mr. STIMMEL. Mr. Speaker, I can furnish that information, sir.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Stimmel.

Mr. STIMMEL. Mr. Speaker, the original bill was 1694 and passed finally September 19th by a vote of 114 to 74.

Mr. LOVETT. Mr. Speaker, December 19th? Is that correct?

Mr. STIMMEL. Mr. Speaker, September 19th.

Mr. LOVETT. Mr. Speaker, of course, that was not too early in the session of the Legislature that we decided to tax these insurance companies. That was pretty late in the year, and the least we could do at that particular time, if we had made up our minds to tax these particular insurance companies was to be decent enough to allow the people we are expecting to pay the tax an opportunity to get their house in order to pay that particular tax.

I, therefore, do not think that Mr. Andrews' statement was correct when he said that this House had indicated "fairly early" in the session that they had intended taxing the insurance companies. I still insist if you want to be fair, you should vote for these amendments.

Mr. SMITH. Mr. Speaker, could I submit the gentleman from Westmoreland's name as No. 1 Monday morning quarterback of the House.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. STIMMEL offered the following amendment:

Amend Sec. 3, page 5, lines 2 and 3, by striking out "subsequent years" and inserting in lieu thereof: "the calendar year one thousand nine hundred fifty-two."

They were agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

### RECONSIDERATION OF VOTE

Mr. ROBERTSON. Mr. Speaker, I move that the vote by which Senate Bill No. 27, Printer's No. 672, entitled:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employes including teachers and other employes of the public school system and officers and employes of state-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employes prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to state-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on state and local appointing authorities and certain other state officers

passed third reading, be reconsidered.

Mr. READINGER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware Mr. Robertson vote on the final passage of this bill?

Mr. ROBERTSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Bucks, Mr. Readinger vote on the final passage of this bill?

Mr. READINGER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. READINGER and ROBERTSON. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, fifth line from top of page, by striking out the words "Statements and."

Amend Sec. 2, page 3, lines 18 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 2, page 4, lines 1 to 18, both inclusive, by striking out all of said lines.

Amend Sec. 4, page 9, lines 10 to 17, by striking out



the words "in securing facts necessary to ascertain" in line 10, and all of lines 11 to 17, both inclusive.

Amend Sec. 5, page 12, line 4, by striking out the words "statement and."

Amend Sec. 5, page 12, lines 16 to 20, by striking out the words "sign a written" in line 16, and all of lines 17 to 20, both inclusive.

Amend Sec. 5, page 13, lines 1 to 9, by striking out all of lines 1 to 8, both inclusive, and the words "nine hundred fifty-two to" in line 9.

Amend Sec. 6, page 14, line 19, by inserting after the word "upon" "written."

Amend Sec. 16, page 14, lines 19 and 20, by striking out the words "or on his own motion."

Amend Sec. 6, page 15, lines 3 to 6, by striking out the words "or whether" in line 3, and all of lines 4, 5, and 6.

Amend Sec. 6, page 15, lines 8 to 18, by striking out the words "or that on all the" in line 8, all of lines 9 to 17, both inclusive, and the words "proper appointing authority and" in line 18.

Amend Sec. 6, page 16, lines 1 to 4, by striking out the words "no person shall be so noti-" in line 1, all of lines 2 and 3, and the words "obtained by the appointing authority" in line 4.

Amend Sec. 7, page 16, line 15, by striking out the words "an administrative" and inserting in lieu thereof "a".

Amend Sec. 7, page 17, line 5, by striking out the words "or by affidavit."

Amend Sec. 7, page 17, lines 18 and 19, by striking out the words "an administrative" and inserting in lieu thereof "a."

Amend Sec. 7, page 18, line 8, by striking out the words "or by affidavit."

Amend Sec. 7, page 18, line 9, by inserting after the word "authority" "by a fair preponderance of the evidence."

Amend Sec. 7, page 18, lines 11 to 14, by striking out the words "or if on all" in line 11, and all of lines 12, 13, and 14.

Amend Sec. 7, page 19, line 1, by striking out the word "administrative."

Amend Sec. 8, page 19, lines 6 and 7, by striking out the words "or the removal from employment."

Amend Sec. 8, page 19, line 13, by striking out the words "or employe."

Amend Sec. 8, page 19, line 14, by striking out the word "or."

Amend Sec. 8, page 19, line 15, by striking out the word "discharge."

Amend Sec. 8, page 20, lines 17, 18 and 19, by striking out all of said lines.

Amend Sec. 8, page 21, lines 1 and 2, by striking out all of said lines.

Amend Sec. 9, page 22, line 9, by inserting after the word "appeal" "on the record."

Amend Sec. 10, page 24, line 9, by inserting after the word "appeal" "on the record."

Amend Sec. 10, page 24, lines 15, 16 and 17, by striking out all of said lines, and inserting in lieu thereof: "which hearing shall be not more than thirty (30) days after receipt thereof and give due notice of said hearing to the appellant."

Amend Sec. 10, page 25, line 5, by striking out the word "the" and inserting in lieu thereof: "such."

Amend Sec. 11, page 26, line 1, by striking out the word "not."

Amend Sec. 11, page 26, lines 3 and 4, by striking out the words "all relevant evidence of reasonable probative value may be received" and inserting in lieu thereof: "all testimony shall be given under oath or affirmation and the right of subpoena shall be accorded to either the appointing authority or the person so notified. Any judge of a court of record, either in term time or in vacation, shall, upon proper application of the appointing authority or person so notified, compel the attendance of witnesses, the production of books and papers and the giving of testi-

mony before the appointing authority by attachment for contempt, or otherwise, in the same manner as the production of evidence may be compelled before such court."

Amend Sec. 12, page 26, line 7, by striking out the words "ruling or."

Amend Sec. 13, page 28, line 6, by striking out the words "fifty-one" and inserting in lieu thereof "fifty-two."

Amend Sec. 17, page 33, lines 3 to 10, both inclusive, by striking out all of said lines.

Amend Sec. 18, page 33, line 11, by striking out the figure "18" and inserting in lieu thereof "17."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ROBERTSON. Mr. Speaker, I would like to say offhand for the purpose of telling everyone within hearing of my voice that these amendments are co-sponsored. They are non-political amendments, and they have both Mr. Readinger's signature on them and mine. The attempt was to make this a non-political issue—to come up with a proper bill.

At this time I would like to yield to the gentleman from Berks, Mr. Readinger.

Mr. READINGER. Mr. Speaker, I desire to make some very brief comments on the amendments proposed by Mr. Robertson and me by way of explanation, and then to comment very briefly on what has been attempted by the committee appointed the other day to work out a series of amendments to this bill which might be acceptable to the Members of the House.

I might say that all the members of that committee of six labored long and hard in an honest effort to reach a meeting of minds, and as a result of the time and work we spent on it, we now propose these amendments, which we are going to ask you to accept and put into this bill.

To be as brief as possible, these amendments leave the definitions of organization, subversive organization and subversive person just as they were written in the bill you looked at last week.

At that time, September 11th, when we last voted on amendments certain matters were included in the bill which some of us did not think properly belonged there. One of those points of difference was the matter of a questionnaire to be prepared by the Attorney General of the state of Pennsylvania for use by all appointing authorities in determining whether an applicant for a job in whatever capacity was or was not a subversive person.

These amendments eliminate completely that questionnaire and provide instead that every appointing authority shall establish by rules, regulations or otherwise, procedures designed to ascertain, before any person, including teachers and other employes of the public school system, is appointed or employed, that he is not a subversive person. That is left to the local appointing authorities.

The oath as it appeared before you in the last bill on which you voted has not been changed in any respect at all. It is still exactly the same as it was.

There was a difference between some of us as to whether or not the hearing procedures and the appeal procedures to protect the employes should be spelled out in this bill or should be retained by keeping intact the Act of 1937, which

set up the appeal procedures for civil service appointees, non-civil service appointees and school teachers. In these amendments you will find spelled out in the bill the entire procedure by which a person may be charged with being subversive, may be heard, may be given the right to appeal, either to the Civil Service Commission of the state or to the Superintendent of Public Instruction and then to the courts.

That matter was not one of great importance, but it was just a difference of opinion as to how this thing should be approached.

It has been written into this bill by these amendments that in the hearing before the Civil Service Commission or a hearing before the School Board proof should be given against the person charged, which by a fair preponderance leads the appointing authority to the conclusion that the person is a subversive person. For your information, there is no "reasonable doubt" left in this bill concerning the dismissal of any employe.

Section 8 of the old bill relating to status for the refusal of employment to new applicants has been retained in part. In other words, several matters which bear on the question of a person being subversive or not are still to be considered by the local appointing authority. The section in the old bill which related to whether or not a person was acting in such a manner as to serve the interests of a foreign government instead of United States or the state of Pennsylvania has been stricken out, and that has been stricken out for the reason that it is too hard to determine, it is too vague, it is too hard to determine the question sometimes of whether a person has been working for the interests of a foreign government in preference to the United States. I think you will probably appreciate the difficulties that any appointing authority would have in making a determination of such a matter.

I would like to point out to you that these amendments give to a non-civil service employe an appeal which he does not have, if he is charged with being a subversive person.

Under our present law he could be dismissed without any cause and under this bill he can also. But if the appointing authority decides to charge him with being subversive, and gives that as the reason for dismissing the non-civil service employe he will have a right of appeal to the civil service commission. I say he does not under the present law have that.

It is spelled out in the bill that teachers are first entitled to a hearing before their school boards. If those boards have three or more persons on, it takes a two-thirds vote of those boards to dismiss him. He then has the right to appeal to the Superintendent of Public Instruction, and that appeal will be on the record established before the school board. From there he can appeal to the Court of Common Pleas. If he chooses and asks for it he may have an appeal de novo, exactly as the teachers' tenure act now provides.

The section relating to reports by state-aided institutions of learning making a report to the Governor is still retained in the bill. Those reports are to be made only before the first day of September of each year, and appropriations may be withheld if those reports are not so made.

Candidates for elective office are still required to sign

a statement under oath that they are not a subversive person in order to have their names placed on the ballot for election.

The bill now provides that the Act of 1941 which related to all employes who might be found guilty of un-American subversive doctrines is repealed. Also the amendment to the teachers' tenure act which gave as a reason for dismissal un-American and subversive activities and doctrines has also been repealed. They have been repealed by these amendments, because the whole hearing and appeal procedure is now spelled out in detail and in full in the amendments to this bill.

I may not have covered every minute detail of the changes being made by these amendments, but substantially those are the only changes that have much meaning.

After the defeat of the amendments that I proposed to this bill on December 11, I received many telegrams and many letters from people who are interested in this legislation asking me and begging me practically not to agree to any compromise whatsoever of my amendments.

For the benefit of others here who might think that compromise is wrong in this instance let me say that there have been some compromises. There have been compromises on the part of those who saw fit to adopt the Tompkins amendments. There have been compromises on the part of those who preferred my amendments.

I do not think either side has by its compromises or its giving in at any point done anything to make this bill a bill which has no meaning. I feel as I did a week ago, that a loyalty oath can be of some assistance in the matter of seeking good employes and getting rid of bad employes in the Commonwealth of Pennsylvania.

There are those who differ and say that it will have absolutely no effect one way or the other. But I say that this committee which worked on these amendments did give and did take, but that the net result of our labors has been to evolve a bill which in my opinion at least is not capable of injuring or hurting people who should not be hurt. It is capable of instilling into the people of Pennsylvania who work for the State or its municipalities, political subdivisions, or who will in the future, a greater sense of loyalty. When they sign these oaths I presume they will be read and understood, and if the only good that comes from this bill is a psychological effect to give people a stronger determination to be loyal to their government, and to see to it that nobody with whom they work is disloyal, then we will have accomplished something.

I appreciate very much the spirit of cooperation with which the Members on the other side have worked with me in trying to accomplish this result. I hope that you too will feel that it is a desired result and that when the time comes to vote on these amendments you will see fit to do so.

Mr. ROBERTSON. Mr. Speaker, one or two short statements in regard to this bill so that everyone will have its mind cleared up.

This bill, if these amendments are accepted, still is a loyalty oath bill; there is no question about that. The requirements and the penalties under the act still remain the same. Any person who is a subversive person as defined under the act—and if you have taken the time to read that definition, you will note that that definition



is wide,—they are still under the penalties of a perjury charge. In addition to that, we have gone further in the hearings and given the right to both the person charged and the administrative board to bring in by right of subpoena any witnesses, records, or books to prove or disprove the case.

I believe that this committee has come up with a thorough bill. It has come up with a bill that will answer the purpose absolutely and it will take care of those who are owing their allegiance not to the United States or to this Commonwealth,—take them out of the school system and take them out of the state employment, and we will have a more loyal group who are receiving the money which this legislature has spent.

I ask that these amendments be supported.

Mr. WATKINS. Mr. Speaker, this seems to be kind of a harmony proposition, and I do not like to enter into it.

To make my position clear in the matter, I wish to state to the Members of the House, that I was not a party to any agreement in these amendments.

I am for a loyalty bill and a strong loyalty bill. In regard to the amendments that were turned down that were offered by Mr. Readinger from Reading, those amendments were defeated.

Mr. Tompkins' amendments, that I offered, were accepted. This committee saw some action, that is true.

Nor do I want to disagree with what the committee members did when they met. I was not party to it.

Therefore, I am willing to leave the House vote and either accept or turn down the amendments as offered by Mr. Readinger and Mr. Robertson.

Mr. TOMPKINS. Mr. Speaker, Mr. Readinger has reviewed in full the amendments which are proposed and offered here. What he has said is correct so far as the changes the amendments will make in the bill are concerned.

I was a member of that committee and worked with that committee in connection with these amendments. These amendments, some of them, were within an area that I could agree to, others were beyond it. I therefore find myself in the same position as Mr. Watkins; that your acceptance or rejection of these amendments will rest entirely upon each individual Member.

Mr. SEYLER. Mr. Speaker, I too was a member of the group that worked on trying to compromise and find a common basis, and I find myself in somewhat the same position as Mr. Watkins and Mr. Tompkins; with the difference that the areas in which we did not agree with the committee report were not the same. However, I would like to urge all Members to vote for these amendments. I believe the committee did do a good job and perhaps did as much as you can ever do with a position that must be compromised.

I will support the amendments and hope everybody will, but I agree with the gentlemen that I do not think the resultant bill will be the sort of bill we should pass.

Mr. ANDREWS. Mr. Speaker, I was a member of the committee. I did not do any work. I did not furnish any of the brainpower that accomplished what I think is a fine result. All I did was when they disagreed and parted and went in various directions I sallied forth in one direction and grabbed one of them and sallied forth

in another direction and grabbed another one of them and said "Here, you fellows, try it again."

And so they kept on trying, and so we got as nearly as it is possible to get a meeting of minds and a fair, square, middle ground that will not force an irreconcilable battle on the floor of this House. I think this bill comes as near hitting the middle ground that must always represent statesmanship, because statesmanship realizes the necessity of facing facts, and when you have a great many people of different minds you have to reach one conclusion. The only way you can reach one conclusion is to compromise, and I think they have reached a very admirable compromise.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## SENATE MESSAGE

### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 897.

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia by amendments or supplement to the Philadelphia Home Rule Charter.

Referred to the Committee on City and County—First Class.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 617 entitled:

An Act to add Section 2.1 to Article XIV of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for minority party representation in council.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. ANDREWS. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities and County—Second Class for the purpose of further study and amendment.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I am not asking that the bill go back to committee for further study. I am asking that the bill go back to committee to die; that it be properly interred in correct parliamentary fashion. I consider it bad legislation.

It is all right to have a minority representation upon appointed commissions, upon bodies that are not elected directly by the people. I never approved of minority representation in the counties, in the county commissioner system. I think it is bad legislation in this bill. It is a bill that will encounter strenuous opposition at this time. I could very much regret to have a situation arise that would compel me, tired as I am, weary as I am; tired as you are, weary as you are, to go to battle in strenuous fashion about this bill, and I hope that you will save my declining strength and let me waddle through to the end of the session without having to go to battle on this bill.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

### BILL ON THIRD READING

Mr. KENT asked and obtained unanimous consent to call up House Bill No. 1731 for immediate consideration.

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1731, as follows:

An Act to further amend the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1198) entitled "An act relating to employees and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employees contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the

duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" providing further conditions upon the issuance of injunctions in labor disputes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1198) entitled "An act relating to employees and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employees contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" as last amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 302) is hereby further amended as follows

Section 4 No court of this Commonwealth shall have jurisdiction to issue any restraining or temporary or permanent injunction in a case included within this act except in strict conformity with the provisions of this act nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this act Exclusive jurisdiction and power to hear and determine all actions and suits coming under the provisions of this act shall be vested in the courts of common pleas of the several counties of this Commonwealth Provided however That subject to the provisions of subsection (e) of this Section this act shall not apply in any case

(a) Involving a labor dispute as defined herein which is in disregard breach or violation of or which tends to procure the disregard breach or violation of a valid subsisting labor agreement arrived at between an employer and the representatives designated or selected by the employees for the purpose of collective bargaining as defined and provided for in the act approved the first day of June one thousand nine hundred and thirty-seven (P. L. 1168) entitled "An act to protect the rights of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for the purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" and amendments thereto or as defined and provided for in the National Labor Relations Act approved



the fifth day of July one thousand nine hundred and thirty-five Provided however That the complaining person has not during the term of the said agreement committed an act as defined in both of the aforesaid agreement

(b) Where a majority of the employees have not joined a labor organization or where two or more labor organization or ny of its officers agents representatives employes or members engages in a course of conduct intended or calculated to coerce an employer to compel or require his employes to prefer or become members of or otherwise join any labor organization

(c) Where any person association employe labor organization or ny employe gent representtive or officer of a labor organization engages in a course of conduct intended or calculated to coerce an employer to commit a violation of the Pennsylvania Labor Relations Act of 1937 or the National Labor Reltions Act of 1935

(d) Where in the course of a labor dispute as herein defined an employe or employes acting in concert or a labor organization or the members officers agents or representaatives of a labor organization or anyone acting for such organization seize hold damage or destroy the plant equipment machinery or other property of the employer with the intention of compelling the employer to acede to any demands conditions or terms of employment or for collective bargaining

(e) The requirements of Section 12 15 and 16 of this act shall be fully complied with in connection with any restraining order or temporary or permanent injunction granted under subsections (a) (b) (c) and (d) of this section

Section 2 Section 16 of sai dact is hereby amended to read as follows

Section 16 Every temporary injunction and temporary restraining order issued in a case involving or growing out of a labor dispute shall by its terms expire within such time after entry as the court may fix not to exceed ten (10) days unless the palintiff [is ready] by the expiration of such period [to proceed] proceeds to trial and shayy pay the necessary calendar and trial fees or unless a later date for such trial is fixed by agreement in writing signed by all the parties involved or their counsel and approved by the court Every such temporry injunction and temporary restraining order further provide that in any event it shall expire within such time after entry as the court may fix not to exceed forty-five (45) days from the date of the issuance of the temporary injunction or temporary restraining order or any rule to show cause why a temporary restraining order or temporary injunction should not be issued which ever shall first occur Provided however That the duration of the temporary injunction or temporary restraining order may be extended for one additional period of forty-five (45) days if it has not been possible to complete the trial within the first forty-five (45) day period or if after a further hearing initiated and conducted in the same manner as the original hearing the court shall determine that the temporary injunction or temporary restraining order shall be continued either in its original form or as modified by the court for such additional period of time in accordance with the findings of fact on the subsequent hearing Every permanent injunction issued in a case involving or growing out of a labor dispute shall expire at the end of one hundred eighty (180) days after the date on which the judgment is signed Provided however That the duration of the injunction may be extended for another one hundred eighty (180) days if after a further hearing initiated and conducted in the same manner as the original hearing the court shall determine tht the injunction shall be continued or modified in accordance with the findings of fact on the subsequent hearing

Section 3 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—201

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Spoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Brelsich,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Buechin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Muldowney,	Taylor,
Clendening,	Jones, G. E.,	Munley,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Murray,	Thompson, R. L.,
Conway,	Jones, P. F.,	Musto,	Toll,
Cooper,	Jones, T. H. W.,	Najaka,	Tompkins,
Corr,	Jump,	Naugle,	Toomey,
Costa,	Kamyk,	Needham,	VanSant,
Coyle,	Keller,	Olsen,	Varallo,
Dalrymple,	Kent,	Penglase,	Varner,
Davis,	Kline,	Peta,	Verona,
Dennison,	Kohl,	Petrosky,	Wachhaus,
Dougherty,	Kolankiewicz,	Pettigrew,	Wargo,
Dowling,	Kornick,	Pfaff,	Waterhouse,
Duffy,	Kratz,	Pichney,	Watkins,
Dunn,	Kubacki,	Pitzer,	Weidner,
Erb,	Lafore,	Polaski,	Welsh,
Ewing,	Lederer,	Polen,	Wescott,
Fenrich,	Leisey,	Price, H. W. Jr.,	Westrick,
Ferster,	Leonard, W. C.,	Price, R. A.,	Whalley,
Filip,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reidenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
		Rovansek,	Speaker

## NAYS—4

DuBols, Leonard, L., Lovett, Moran,

## NOT VOTING—0

(During the calling of the roll)

Mr. LOVETT. Mr. Speaker, I wish to be recorded as voting against the bill, and I do not favor the way the bill is being handled.

Mr. LOUIS LEONARD. Mr. Speaker, I wish to be recorded as voting "no."

The SPEAKER. The remarks of the gentlemen will be noted in the record.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

### REPORTS FROM COMMITTEE

Mr. KORNICK from the Committee on Mines and Mining, reported as committed, House Bill No. 1604, entitled:



An Act prohibiting the use of diesel powered locomotives, pumps, or other machinery or other locomotives, pumps, or machinery powered by internal combustion engines or motors in coal mines.

### BILL ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1604, entitled:

An Act prohibiting the use of diesel powered locomotives, pumps, or other machinery or other locomotives, pumps, or machinery powered by internal combustion engines or motors in coal mines.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. TAHL asked and obtained permission for the Committee on City and County—First Class to meet during the session of the House.

### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILL No. 1694

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1694, Printer's No. 977, entitled "An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled 'A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax."

JOHN S. FINE.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1404

Mr. HELM. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1404.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1404, entitled:

"An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by authorizing the re-

assessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof"

Respectfully submit the following bill as our report:

PAUL L. WAGNER,  
EDWARD J. KESSLER,  
JOSEPH J. YOSKO,

(Committee on the part of the Senate.)

W. STUART HELM,  
D. RAYMOND SOLLENBERGER,  
HARRY E. SEYLER,

(Committee on the part of the House of Representatives.)

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 677 a new section to read as follows

Section 677.1 Additions and evisions to Duplicates Whenever in third and fourth class school districts there is any construction of a building or buildings after September first of any year and such building is not included in the tax duplicate of the school district the authority responsible for assessments in the city borough township or county shall upon the request of the board of school directors direct the assessor in the district to inspect and reassess subject to the right of appeal and adjustment provided by the act of Assembly under which assessments are made all taxable property in the district to which major improvements have been made after September first and to give notice of such reassessments within ten days to the authority responsible for assessments the school district and the property owner Such property shall then be added to the duplicate and shall be taxable for school purposes at the reassessed valuation for that proportionate part of the fiscal year of the school district remaining after the property was improved Any improvement made during the month shall be computed as having been made on the first of the month A certified copy of the additions or revisions to the duplicate shall be furnished by the board of school directors to the tax collector for the district and within the days thereafter the tax collector shall notify the owner of the property of the taxes due the school district

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarras,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,



Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelsch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stummel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dairymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnar,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBols,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Flo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the Report of Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT FROM COMMITTEE

Mr. HELM from the Committee on Rules reported as committed House Resolution No. 77, and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, August 20, 1951.

Whereas The General Assembly requires for its use comprehensive factual information concerning the numerous problems before it

Resolved (if the Senate concurs) That the Joint State Government Commission is hereby directed to

## 1 Study and investigate

- (a) State License Fees Except Those Fixed by the Motor Vehicle Code
- (b) Disability Benefit Laws
- (c) Needs and Problems of the Aged and Aging
- (d) State and Local Support of Public Education
- (e) Instruction for the Deaf
- (f) Public School Pupil Transportation Costs
- (g) Available Information Relating to Underground Water Supply
- (h) Un-American and Subversive Activities in the Commonwealth
- (i) The Feasibility of Establishing School of Veterinary Medicine at Pennsylvania State College
- (j) The Feasibility of Establishing a Free City College in Philadelphia
- (k) The Feasibility of Establishing Medical and Dental School at Pennsylvania State College
- (l) Laws Relating to Milk Control
- (m) The Proposed Uniform Commercial Code

and be it further

Resolved That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with such drafts of legislation necessary to carry the recommendation into effect and be it further

Resolved That the resolution shall constitute the complete directive to the Joint State Government Commission notwithstanding any resolutions heretofore adopted

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

## REPORT FROM COMMITTEE

Mr. HELM from the Committee on Rules reported as committed Senate Concurrent Resolution (Serial No. 136) and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

## SENATE MESSAGE

## CONCURRENT RESOLUTION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 12, 1951.

It is fitting that provision be made for the permanent care of the World War II roster, now displayed in the capitol rotunda, in order that this record of war history may be properly preserved.

In as much as the Pennsylvania Historical and Museum Commission by Act No. 340 of the 1949 Session of the General Assembly is empowered, in cooperation with the Department of Military Affairs to establish and maintain an extension museum of war history at Indiantown Gap, and in view of its other excellent facilities and experience in caring for historical records, it is proper that this Commonwealth agency be entrusted with the permanent care of this valuable war record: now therefore be it

Resolved (if the House of Representatives concur) That the permanent care of World War II service roster now in the Capitol rotunda be entrusted and turned over to the Pennsylvania Historical and Museum Commission for display and preservation in accordance with its powers and facilities.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT FROM COMMITTEE

Mr. TAHL from the Committee on City and County—First Class, reported as committed, Senate Bill No. 897, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia by amendments or supplement to the Philadelphia Home Rule Charter.

## BILL ON FIRST READING

Pursuant to a resolution adopted by the House on Sep-



tember 17, 1951, the following bill was read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 897 entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia by amendments or supplement to the Philadelphia Home Rule Charter.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 207.

An Act to further amend the second paragraph of section 2 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by further providing for the appointment of the plumbing inspector in certain cases in third class cities.

#### HOUSE BILL No. 238.

An Act to amend Section 256 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fish wardens to make certain arrests with warrants under certain circumstances

#### HOUSE BILL No. 691.

An Act to further amend Section 444 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by increasing the maximum appropriation which may be made for agricultural extension work.

#### HOUSE BILL No. 769.

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative

officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Waters and the rights of lessees with respect to such leased lands.

#### HOUSE BILL No. 900.

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings.

#### HOUSE BILL No. 1566.

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the Second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by authorizing financially handicapped and distressed school districts to levy additional taxes with certain limitations.

#### HOUSE BILL No. 1567.

An Act to amend Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

#### HOUSE BILL No. 1581.

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a



home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use.

#### HOUSE BILL No. 1585.

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority.

#### HOUSE BILL No. 1587.

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority.

#### HOUSE BILL No. 1589.

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the

holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority

#### SENATE BILL No. 675.

An Act to further amend the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county officers" by increasing the maximum amount of fees that certain county officers may retain before being required to pay over half the excess to the county treasurer

#### SENATE BILL No. 818.

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances

### RESOLUTION

#### CONDOLENCE

Messrs. HELM and SMITH offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, December 18, 1951.

On December 17, 1951, John A. Johnson, the father of the Honorable Albert W. Johnson, passed away at his home in Smethport. Born in 1865, he had lived beyond the span of three score and ten, yet his death leaves a void in his family group and his wide circle of friends.

After marrying Edla Ostrom in 1897, he came with her to America shortly after the turn of the century and here they built their life, one in which the family—there were nine children, seven of whom are still living—was the cornerstone.

Mr. Johnson took his place in the economic life of this country as a construction foreman for the P. S. & N. Railroad Company. After many years of faithful service, he was able to retire and more fully enjoy his family associations.

Although his life was full and rewarding, yet his passing does not fail to bring with it sorrow to his family and friends; now therefore be it

Resolved, (by the House of Representatives), That we hereby extend to the Honorable Albert W. Johnson and the members of his family our deepest sympathy in their hour of bereavement; and be it further

Resolved, That a copy of this resolution be sent to the Honorable Albert W. Johnson.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

### RESOLUTION

#### CONDOLENCE

Mr. KENT offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, December 18, 1951.

On the evening of November 20, in the First Methodist



Church of Blairsville, only a few minutes after he had finished his inspirational speech glorifying his beloved Commonwealth, death came suddenly but peacefully to one of Crawford County's and this Commonwealth's beloved leaders, Ray F. Smock.

His influence was vast and extended into many fields of activity. In his early years he gained a broad background of practical experience in the construction business which was to serve him admirably for his post as Secretary of Highways.

But along with his activity in business, he took a keen early interest in the political and civic life of Crawford County which through the years he developed into a repository of extraordinary knowledge of which he gave freely in advice, counsel and assistance to the residents of his community.

He became a leading figure in the political life of Crawford County in 1930 when he assumed the county chairmanship of the Republican party, a post he held continuously until his death. At the time he took hold of his county organization, its fortunes, as elsewhere in the nation, were at a low ebb, but by working at the job day and night every day, he developed an organization that gained victory at the polls year after year. Along with this post, he also served Crawford County as Recorder and Register from 1933 to 1943.

But his great success in politics was due in large measure to his intense interest, his vast energy, his pleasant personality, his kindly humor, and his genius for making friends.

With his experience in the field of contracting and party politics, he was a natural choice for the post of Secretary of Highways which he held continuously under four Governors from 1943 until his death. During his tenure, he ably directed the greatest highway construction program this State and nation has ever seen and it was fitting that in his lifetime he had become known as a respected administrator and a great builder.

Even while fulfilling the responsibilities of his high office he took time to continue to perform hundreds of "little things" for the people of his community and to contribute to the upbuilding of his local institutions such as Allegheny College, Stone Church, the Chamber of Commerce, the Community Chest and local industries, to name but a few.

Ray Smock's life is a record of serve, integrity and sincerity in public life and enhances the dignity of public service and political leadership. By hard, honest work backed up with a fervent belief in America, he achieved great influence and used it wisely and unselfishly; now therefore be it

Resolved, (by the House of Representatives), That we hereby express our deep feelings of loss in the untimely death of Ray F. Smock which will be felt at once because of the vital position he occupied in the life of his community, State and nation and in the hearts of his family and many friends; and be it further

Resolved, That as a token of the sympathy we feel for his family, the Chief Clerk of the House shall transmit to them a copy of this resolution.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

### PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, in connection with the passing of Ray F. Smock and the memorial resolution which was just passed in his memory, I would like to make a few remarks which I think you would appreciate knowing.

It happens that I was master of ceremonies at the dinner meeting and the road celebration which Ray Smock was

attending when he was stricken. I have never seen Ray Smock in all his happy disposition exceed that which he possessed on the night on which he was stricken at Blairsville, Pennsylvania.

We had had a wonderful day. We had opened U. S. Route 22 west of Blairsville which had been closed to traffic approximately five years. The town of Blairsville in celebration held a ten-day period of special events called Trail Blazer Days.

The highlight of the entire ten-day period was this visit of Ray Smock together with all the other highway officials and those responsible for the development of this vast road program.

We presented to Ray that night a fine pocket wallet and on the inside of it we had engraved: "Honorable Ray F. Smock" and instead of calling him Secretary of Highways we inscribed the words "Chief Trail Blazer."

I cannot help but reflect back how appropriately "Chief Trail Blazer" applies in this case. I think Ray Smock not only was a trail blazer in the development of a system of highways to facilitate the community of people from one community to another and thus spread the blessings of our system and our way of life more freely and happily, but he was also a trail blazer in the art of human associations. He was a trail blazer in the art of being a public office holder—a man who could give unstintingly of himself in service to the Commonwealth. I think he has blazed a trail as an example of public service which will be unexcelled in the years to come.

Mr. Speaker, in connection with this resolution I think we should read into the record or make a part of the record the memorial sermon which was delivered at the time of his funeral. It is such a masterpiece that it should be preserved.

Therefore, Mr. Speaker, I present this memorial sermon for the Honorable Ray F. Smock and ask that it be made a part of the record of this House.

The SPEAKER. Without objection, the funeral sermon for the Honorable Ray F. Smock will be included in the record.

### RAY F. SMOCK

Funeral Services for Saturday, November 24, 1951  
Old Stone Church, Meadville, Pa.

By Reverend Albert Mariott D.D.

Long before this moment the minds of many of the best writers in the State of Pennsylvania have been exercised to give expression to an appreciation which is in the hearts of all who knew Ray F. Smock. The unvarnished facts of his life and advancement would read like fiction except for the fact that this country has already provided ample precedent for such individual accomplishment. For many years to come the impact of his life and service will be the source of yet other expressions of honor and tribute and will be the inspiration for young men and women, who, coming out of unprepossessing backgrounds, pause to wonder what the future can possibly hold for them.

It would, in fact, tax the genius of a poet to set forth in satisfactory language the sturdy simplicity and rugged stature of Crawford County's leading citizen.

The late Pennsylvania Secretary of Highways spoke of himself, and with pride, as a man who came from and belonged to the rural places. He boasted no inherited wealth, except the wealth of personality and



human interest and human insight which made him the outstanding political leader he became.

He would not want to speak of himself as being "self-made" for he was always eager to give credit to others for their trust in and loyalty to him as the agencies which made him what he was, but it is nonetheless true that he became what he was largely through sheer dint of personal effort.

Academically speaking, his education may have ended with his high school studies. If, however, the words of William James are true, that the purpose of higher education is to give a man the sense for ideal values, "the feeling for a good human job anywhere, the admiration of the really admirable, the dislike of what is cheap and trashy and impermanent," then Ray Smock had a great deal of higher education. Whatever his knowledge of advanced mathematics was or was not, he was well schooled in those higher mathematics which taught him to add friendship, to multiply good-will, to subtract bitterness and contention, and to divide service. He was indeed well grounded in the square root of human relations. Whatever his skill in oratory, and he was always heard with pleasure and profit, his finest skill in speech lay in his ability to speak the word of kindness and encouragement and friendly understanding, and in the science which involves loyalty, dedication, and responsibility, he was a student *Hagna Cum Laude*.

Ray Smock was essentially a friendly person. It was as natural for him to take an interest in people as to breathe, and to walk the streets of this city with him was an education and an inspiration. Conversation was constantly being interrupted while he called to someone he had not seen for a while so that he could ask in detail about matters of concern to members of the family group in question. He radiated friendliness and his contact with people made them feel that he thought them important, and incidentally, in helping them to feel thus he helped them to be important, a vital matter in our democratic way of life.

He was a loyal member of Old Stone Methodist Church, proud to be known as such since 1915, when, under the preaching of Dr. Biederwolf he was persuaded to declare his faith. His support of the church was forthright and continuing. He shared its burdens, which were sometimes very heavy, as a member of the Official Board, and, until the time of his death he was a member of that group of officials. His years of service and helpfulness during which he gave both of himself and his money to keep the church an effective organization, ought to mark him among long line of those who climbed the steep decent of heaven that the spiritual foundation upon which our common life is built shall not fall nor be neglected.

His long-time leadership in the political life of both the county and the state will write itself into the history and the very fabric of the life of the Commonwealth. No one can ride over Pennsylvania highways for many years to come without being compelled to acclaim that here and here and there are signs that the life of Ray F. Smock has been built into the network of our communication system.

Ray Smock, was, and is a symbol. He is a symbol of the possibilities inherent in this democratic way of life, a way of life for which we once more struggle. He is a symbol of the fact that here in this way of life the obscure individual with talent and with application and determination can reach the heights of both service and honor. He is a symbol, too, of down-to-earth application of ideals. He was not content to dream about a better future for Americans and Pennsylvanians but he chose to enter actively into the task of creating that better future. While too many of the rest of us have been content to discharge our political responsibilities by criticism of those who were at work, he entered the firing line and accepted responsibility in practical endeavors to definite ends.

This church has been proud to list such a man as Ray F. Smock a member of its family, his life has become part of its blood and tissue.

This community has been proud to have given to the state so capable a workman.

This county shall list him proudly among the outstanding citizens of all its history, and we his fellow countians feel that his passing will leave a marked vacancy in the political structure of the Commonwealth.

The memory of his warm human heart leads us to pray that the quality of friendship he exemplified shall multiply among us and that we shall give more room for that bond of fellowship about which one of his favorite hymns speaks, the hymn which was reported being sung when he was stricken.

"Blest be the tie that binds  
Our hearts in Christian love  
The fellowship of kindred minds  
Is like to that above.

When we asunder part,  
It gives us inward pain.  
But we shall still be joined in heart  
And hope to meet again."

### PERMISSION TO ADDRESS HOUSE

Mr. KENT ask and obtained unanimous consent to address the House.

Mr. Speaker, on Monday, a week ago yesterday, in my absence the House concurred in a Senate Resolution, introduced by Senator Mahany in the Senate, dedicating a small strip of road and a bridge leading out of Meadville and proceeding on to Conneaut Lake to the memory of Mr. Smock.

I would like to express at this time the gratitude of myself and Crawford County for the House action on that resolution.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FILO asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

### RESOLUTION

#### CONGRATULATIONS

Mr. FILO. Mr. Speaker, it is certainly a great privilege for me to introduce this privileged resolution. I know that the particular Member in this resolution has waited a long time to have such a resolution read in this House. As a matter of fact, it has been eight sessions that this Member has been down here and has never had a chance to have one of these resolutions presented.

I certainly appreciate the pleasure that I am able to do so for this particular gentleman. I know that he is held in high esteem by all the Members in the House and also by his constituents back home.

Messrs. FILO, SARRAF, HUNTER, LUTTY, LOUIS LEONARD, OLSEN, CORR, SCHMIDT, KAMYK, PAUL F. JONES, FENRICH, SCANLON, BEECH, MIHM, RIGBY, THOMPSON, EWING, McNALLY, MORAN, WILT, VERONA, COOPER and HAUDENSHIELD offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:



In the House of Representatives, December 18, 1951.

Our fellow-member, the Honorable David M. Boies, representing the eleventh district of Allegheny County, has been a member of this august body since December 1, 1936.

During this long period, this assemblage has not had occasion to honor his birth-date, which falls on December 15th, but this year the opportunity to do so being at hand, we must not miss it.

We all know Dave as a conscientious public servant and as a personable, likeable gentleman, as well as an epicure, bon vivant, scholar and an admirer of the city of brotherly love and its citizens, particularly the legislative members thereof; now therefore be it

Resolved (by the House of Representatives), That we hereby congratulate our own Dave Boies on the occasion of his birthday just passed and wish him continued success, good health, happiness, an eventual pleasant retirement in the city of Clairton, and many many more happy birthdays.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, I certainly want to thank the Members of the House for the sentiments expressed in this resolution, and I hope for their sake and my own, too, that we never again have to celebrate my birthday with a session of the House. Thanks a lot.

### PARLIAMENTARY INQUIRY

Mr. GUARNIERI. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GUARNIERI. Mr. Speaker, I have been asked by Members on this side of the House, especially from Philadelphia, to ascertain a certain point, the exact answer to which question I have not been able to give.

The question is this, Mr. Speaker, may a Chairman of a Committee report out a bill himself? In other words a Committee acts upon a bill in Committee and it is accepted or approved by the Committee to be reported out. May the Chairman report it out himself, or must it be given to another Member of the Committee?

The SPEAKER. The Chair would inquire the opinion of the gentleman from Philadelphia, Mr. Tahl. Will the gentleman explain what happened?

Mr. TAHL. Mr. Speaker, in my opinion, I think the Chairman of a Committee has discretion to do as he sees fit in that respect.

Mr. GUARNIERI. Is that the answer of the Chair, Mr. Speaker?

The SPEAKER. The Chair is certainly interested in the opinion of the gentleman from Philadelphia, Mr. Tahl. However, the Chair desires to know the factual background of the gentleman's inquiry.

Mr. TAHL. I have the factual background, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Andrews, rise?

Mr. ANDREWS. Mr. Speaker, I would like to intervene in this parliamentary situation to inquire what the record of the Committee shows. Into whose keeping did the Committee consign the bill? Did the Chairman consign the bill into his own keeping, and does the record of the Committee show that the procedure was approved?

The SPEAKER. The Chair will inquire of the Chairman of Cities and Counties—First Class. The Chair is concerned with the regularity of the proceedings.

Mr. HAMILTON. Mr. Speaker, I did not know there

would be any question, and I will be very happy to submit a certified copy of the minutes to the gentleman from Cambria, our eminent and distinguished Minority Leader. I know he would approve of them because I have never in my life seen the Philadelphia Democrats and the Philadelphia Republicans get along so harmoniously. They were 1000 percent in accord and they permitted our distinguished Chairman, the Honorable Herman Tahl, to report out this bill and they gave him a complete recommendation to do what he saw fit.

I think the Chairman has acted in good order, and our Philadelphia Democrats and our Philadelphia Republicans are 1000 percent in favor of Senate Bill 897 as it now appears. I think, Mr. Speaker, that you will confirm what I am saying. Is that true?

The SPEAKER. The Chair will inquire whether the Members from the City of Brotherly Love who consigned the bill to the Chairman of the Committee agree with that?

Is the gentleman from Philadelphia, Mr. Guarnieri, a member of this loving committee?

Mr. GUARNIERI. Mr. Speaker, I am a member of this Committee which is characterized by so much love. It makes one happy at this time of the year to think there is so much love dispersed between the Members.

I do not know whether I could agree wholeheartedly with every statement made by my distinguished colleague on the other side. I will agree to this extent—that the Committee is characterized by love. That is agreed to because they come from a loving city.

However, I also know this, Mr. Speaker, that the eminent gentleman from Philadelphia, Mr. Hamilton, did not answer the question put by Mr. Andrews. I do not know whether Mr. Andrews still insists upon his query or not. However, if he does not, I will thank the secretary, Mr. Hamilton, from Philadelphia, and hold my peace with all the love that I have shared with all the other Members of the Committee.

The SPEAKER. The Parliamentarian says "Happy Days are here again."

### REPORTS FROM COMMITTEE

Mr. WOOD from the Committee on Appropriations, re-reported as committed, Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees.

Mr. HEWITT from the Committee on State Government, re-reported as amended, Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the



judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith.

Mr. WOOD from the Committee on Appropriations, reported as amended, Senate Bill No. 801, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employees to make up back payments to the retirement system from the time they enter school service and securing to such employees the full benefits of the retirement system from the time they entered school service.

Mr. ROSE from the Committee on Appropriations, reported as amended, Senate Bill No. 162, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

Mr. COOPER from the Committee on Appropriations, reported as amended, Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

Mr. DENNISON from the Committee on Appropriations, reported as amended, Senate Bill No. 344, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others.

Mr. SARRAF from the Committee on Appropriations, reported as amended, Senate Bill No. 455, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute of Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

Mr. BOWER from the Committee on Appropriations, reported as amended, Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses.

Mr. HEWITT from the Committee on Appropriations, reported as amended, Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation.

Mr. ROSEN from the Committee on Appropriations, reported as amended, Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication.

Mr. ROSEN from the Committee on Appropriations, reported as committed, Senate Bill No. 61, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania.

Mr. HEWITT from the Committee on Appropriations, reported as committed, Senate Bill No. 258, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Mr. BLOOM from the Committee on Appropriations, reported as committed, Senate Bill No. 283, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

Mr. BLOOM from the Committee on Appropriations, reported as committed, Senate Bill No. 284, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

Mr. BLOOM from the Committee on Appropriations, reported as committed, Senate Bill No. 286, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. WOOD from the Committee on Appropriations, re-reported as amended, Senate Bill No. 399, entitled:

An Act to amend Section 11.1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and a member of the Public School Employees' Retirement Association.

Mr. WOOD from the Committee on Appropriations, re-reported as amended, Senate Bill No. 400, entitled:



An Act to amend Section 12.1 of the act approved the eighteenth day of June one thousand nine hundred seventeen (P. L. 1043 entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employe and becomes a State employe and a member of the State Employees' Retirement Association.

Mr. STANK from the Committee on Appropriations, reported as committed, Senate Bill No. 405, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital and making an appropriation therefor.

Mr. LOFTUS from the Committee on Appropriations, reported as committed, Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

Mr. SOLLENBERGER from the Committee on Appropriations, reported as committed, Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeomen (female) and nurses.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, Senate Bill No. 551, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

Mr. ROSEN from the Committee on Appropriations, reported as committed, Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

Mr. BLOOM from the Committee on Appropriations, reported as committed, Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania.

Mr. HEWITT from the Committee on Appropriations, reported as committed, Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

Mr. ROSE from the Committee on Appropriations, reported as committed, Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

Mr. ROSEN from the Committee on Appropriations, reported as committed, Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

Mr. FLACK from the Committee on Appropriations, reported as committed, Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Mr. REAGAN from the Committee on Appropriations, reported as committed, Senate Bill No. 571, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

Mr. HAUDENSHIELD from the Committee on Appropriations, reported as committed, Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

Mr. SOLLENBERGER from the Committee on Appropriations, reported as committed, Senate Bill No. 577, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Mr. HAUDENSHIELD from the Committee on Appropriations, reported as committed, Senate Bill No. 579, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

Mr. COOPER from the Committee on Appropriations, re-reported as committed, Senate Bill No. 647, entitled:

An Act to further amend Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative Departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments



boards and commissions shall be determined" by increasing the salaries of the members of the Pennsylvania Securities Commission.

Mr. WOOD from the Committee on Appropriations, re-reported as committed, Senate Bill No. 652, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases.

Mr. SOLLENBERGER from the Committee on Appropriations, reported as committed, Senate Bill No. 667, entitled:

An Act to amend subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" by increasing the compensation of the members of board.

Mr. LOVETT from the Committee on Appropriations, reported as committed, Senate Bill No. 685, entitled:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (Appropriation Acts page 49) entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto" by extending the purpose of the appropriation to cover all flood damage.

Mr. POLASKI from the Committee on Appropriations, reported as committed, Senate Bill No. 731, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain moral claims providing for the hearing adjustment and payment of moral claims to members of the Workmen's Compensation Board and referees suffered as a result of delay in confirmation of appointments made by Governor to such offices.

Mr. STANK from the Committee on Appropriations, reported as committed, Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

Mr. GOODLING from the Committee on Appropriations, reported as committed, Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, Senate Bill No. 778, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire certain tracts of land for the use of the Harrisburg State Hospital and making an appropriation therefor.

Mr. WOOD from the Committee on Appropriations, re-reported as amended, Senate Bill No. 798, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting apartments in which State employees serve excepting annuities and judicial process and providing penalties" by extending the time within which State mental hospital employees may become members and within which State employees may become "original members" and permitting additional persons to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributions heretofore or hereafter making such change.

Mr. WOOD from the Committee on Appropriations, re-reported as amended, Senate Bill No. 800, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for minimum retirement allowances in certain cases and appropriations for payment of the costs thereof.

Mr. BOIES from the Committee on Appropriations, reported as committed, Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

## BILLS ON THIRD READING

Pursuant to a resolution adopted by the House on September 17, 1951, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 61, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 258, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 283, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 284, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 405, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital and making an appropriation therefor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeomen (female) and nurses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 551, entitled:

An Act making an appropriations to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 571, entitled:

An Act making an appropriation to the Department of



Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 577, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 579, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 667, entitled:

An Act to amend subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" by increasing the compensation of the members of board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 685, entitled:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (Appropriation Acts page 49) entitled "An act making an appropriation to the Department of Forests and Waters

for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto" by extending the purpose of the appropriation to cover all flood damage.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 731, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain moral claims to members of the Workmen's Compensation Board and referees suffered as a result of delay in confirmation of appointments made by Governor to such offices.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 778, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire certain tracts of land for the use of the Harrisburg State Hospital and making an appropriation therefor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

## HOUSE BILL No. 772.

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relatnig thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## ANNOUNCEMENT

The SPEAKER. For the information of the Members the Chair is about to declare a recess, and would request the Members to return promptly as there may be important Committee meetings after the recess has expired.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour and thirty-five minutes. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being nitroduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 370.

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for construction of new buildings and repairs and improvements to existing buildings at the George Jr Republic School in Mercer County Pennsylvania

## HOUSE BILL No. 1066.

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

## HOUSE BILL No. 1121.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

## HOUSE BILL No. 1122.

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

## HOUSE BILL No. 1126.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research.

## HOUSE BILL No. 1127.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

## HOUSE BILL No. 1130.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

## HOUSE BILL No. 1143.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction to complete the new Boys' Dormitory

## HOUSE BILL No. 1144.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase fo apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

## HOUSE BIL No. 1146.

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

## HOUSE BILL No. 1147.

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

## HOUSE BILL No. 1148.

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

## HOUSE BILL No. 1178.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

## HOUSE BILL No. 1217.

An Act making an appropriation to the Trustees of the University of Pennsylvania

## HOUSE BILL No. 1422.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospiatls

## HOUSE BILL No. 1423.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

## HOUSE BILL No. 1638.

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low



income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

With the information that the Senate has passed the same without amendment.

MR. HALL IN THE CHAIR

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

#### SENATE MESSAGE

##### HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1683.

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety to persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors

With the information that the Senate has passed the same without amendment.

#### SENATE MESSAGES

##### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 655

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

##### SENATE BILL NO. 655.

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-

three (P. L. 51) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects **property** and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court.

##### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 796

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

##### SENATE BILL NO. 796.

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any natural lake or pond which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations.

##### THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

#### SENATE MESSAGE

##### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

##### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 323

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Johnson and Kolankiewicz.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1142, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1142

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Johnson and Kolankiewicz.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1224

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Johnson and Kolankiewicz.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense.

Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and

insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1397

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Johnson and Kolankiewicz.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one.

Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1421

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Johnson and Kolankiewicz.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land

Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE  
ON HOUSE BILL No. 1582

The SPEAKER. The Chair appoints as a Committee



of Conference on said bill, Messrs. Wood, Johnson and Kolonkiewicz.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1065.

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and figures "two million two hundred fifty thousand dollars (\$2,250,000)" and inserting in lieu thereof the words and figures "one million eight hundred eighty-seven thousand dollars (\$1,887,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1188.

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, Page 1, line 1, by striking out after the word "of" the following: "three hundred thirty-two thousand dollars (\$332,000)" and inserting in lieu thereof the following: "three hundred thousand dollars (\$300,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1494.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, Page 1, Line 1, by striking out after the word "of" the words "two million three hundred thousand dollars (\$12,300,000)" and inserting in lieu thereof the following words "two million five hundred thousand dollars (\$2,500,000)"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### REPORT FROM COMMITTEE

Mr. LYONS from the Committee on State Government, reported as committed, Senate Bill No. 811, entitled:

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, 1951, the following bill was read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 811, entitled:

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commis-

sions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

#### COMMITTEE MEETING

Cities and County—Second Class, Mr. Ewing Chairman, Room 326, Wednesday, December 19, 1951 at 11:00 a. m.

#### ADJOURNMENT

Mr. GREER. Mr. Speaker, I move that this House do now adjourn until Wednesday, December 19, 1951 at 12:00 noon.

The motion was agreed to, and (at 10:28 p. m.) the House adjourned.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, DECEMBER 19, 1951.

No. 107.

## SENATE

WEDNESDAY, December 19, 1951.

The Senate met at 2 o'clock, p. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore: The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D. D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

O God, Most Merciful, on a winter day we seek the warmth of Thy love; in the midst of years that melt like snowflakes before the sun we would rest in Thy everlastingness. We thank Thee for the gift of life, and for the privilege of loving Thee and serving our fellow men.

Remind us that life is too short to be squandered in selfishness, too important for pettiness, too good to be soured by ill will. So help us live and labor on such high levels of devotion and integrity that we will leave our corner of the world brighter and better when we exit through the gate of no return.

We thank Thee for the progress made by this Senate. Keep it rolling, O Lord, so that all these men may get home for Christmas, cheered by the satisfaction of a job well done. We pray for the Senators who are sick, that Thou wilt sustain and heal them. We pray for all who serve in every humble way in this house and, O Lord, we pray for those boys who are prisoners in Korea. Comfort them, and their parents and friends, and hasten the coming of peace and their return home. O Lord, Our Hope is in Thee.

We pray in the name of the Prince of Peace, Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceeding session.

The Clerk proceeded to read the Journal of the Preceding session, when, on motion of Mr. WALKER and Mr. PEELOR, further reading was dispensed with, and the Journal was approved.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as

follows, and referred to the Committee on Executive Nominations.

### MEMBERS OF THE STATE BOARD OF NURSE EXAMINERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 19, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Board of Nurse Examiners, for the term of six years, and until their successors are qualified:

Miss Mathilda Scheuer, 1340 Lambard Street, Philadelphia, Philadelphia County, to compute from March 9, 1950.

JOHN S. FINE.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### BILL SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title publicly read as follows:

House Bill No. 1206, entitled:

An Act to further amend the act, approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by further defining "final salary"; authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 1065

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-

concurred in the amendments made by the Senate to House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE  
BILL No. 1065

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1065.

Mr. BLASS. Mr. President, I second the motion.  
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 1188

He also, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1188

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1188.

Mr. BLASS. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?

Mr. SILVERT. Mr. President, I desire to be recorded as voting "no" on the motion.

The PRESIDING OFFICER. The gentleman from Philadelphia will be so recorded.

And the question recurring,  
Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 1494

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1494

Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1494.

Mr. BLASS. Mr. President, I second the motion.  
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

PUPILS FROM READING HIGH SCHOOL PRESENTED  
TO SENATE

The PRESIDING OFFICER. The Chair wishes to call the attention of the Membership to the presence of a class of young people from Reading, Pennsylvania, who are led by their teacher, Mr. Norman Brillhart. They are here as the guests of the Reverend Doctor Ruth, a Member of this distinguished Body.

The Chair would ask the class to stand and take a bow for the Senate.

REPORT FROM COMMITTEE ON EXECUTIVE  
NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor:

MEMBERS OF THE STATE BOARD OF NURSE  
EXAMINERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 19, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Board of Nurse Examiners, for the term of six years, and until their successors are qualified:

Miss Mathilda Scheuer, 1340 Lambard Street, Philadelphia, Philadelphia County, to compute from March 9, 1950.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. FLEMING,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. DIEHM, That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,



Chapman, Crowe, Dent, Diehm, DiSilvestro, Fleming, Freed,	Letzler, Mahanay, Mallery, McCreesh, McGinnis, McMenamin,	Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson.	Watkins, Watson, Wolfe, Wood, Yosko, Hare, Presiding Officer
---	--	--	--

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion  
The motion was agreed to.

## HOUSE MESSAGES

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN  
AMENDMENTS TO HOUSE BILL NO. 323 AND  
APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley, and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

and has appointed Messrs. WOOD, JOHNSON and KOLANKIEWICZ as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE BILL  
NO. 323 AND APPOINTS COMMITTEE OF  
CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 323, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, WATSON and BANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 323.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN  
AMENDMENTS TO HOUSE BILL NO. 1142 AND  
APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1142, entitled:

A Further Supplement to the act, approved the first

day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

and has appointed Messrs. WOOD, JOHNSON and KOLANKIEWICZ as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE BILL  
NO. 1142 AND APPOINTS COMMITTEE OF  
CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1142, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, WATSON and BANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1142.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN  
AMENDMENTS TO HOUSE BILL NO. 1224 AND  
APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

and has appointed Messrs. WOOD, JOHNSON and KOLANKIEWICZ as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE BILL  
NO. 1224 AND APPOINTS COMMITTEE OF  
CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1224, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, WATSON and BANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1224.

Ordered, That the Clerk inform the House of Representatives accordingly.

# HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1421 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

and has appointed Messrs. WOOD, JOHNSON and KOLANKIEWICZ as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

# SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1421 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1421, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, WATSON and BANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1421.

Ordered, That the Clerk inform the House of Representatives accordingly.

# HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1582 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

and has appointed Messrs. WOOD, JOHNSON and KOLANKIEWICZ as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

# SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1582 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate

do insist upon its amendments to House Bill No. 1582, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, WATSON and BANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1582.

Ordered, That the Clerk inform the House of Representatives accordingly.

# HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1397 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

and has appointed Messrs. WOOD, SMITH and ANDREWS, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

# SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1397 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1397, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOOD, WATSON and BANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1397.

Ordered, That the Clerk inform the House of Representatives accordingly.

# SENATE BILL No. 939 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar Senate Bill No. 939 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

# BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 939, as follows:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third



day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act Concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to Nation conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act Concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 808 [Election] Selection of Delegates and Alternate Delegates District delegates and alternate district delegates to national conventions of the respective parties shall be elected at the Spring primaries held in the years in which candidates for President of the United States are to be nominated Delegates at large and alternate delegates at large shall be similarly elected unless the rules of the State committee of a particular party authorize the election of its delegates at large and alternate delegates at large by the State committee of such political party at a regular meeting or at a special meeting called for the purpose

Section 809 Delegates [Elected] to National Convention If the rules of a political party do not specifically authorize the election of delegates at large and alternate delegates at large to a National party convention by the State committee of such political party candidates of the various political parties for the office of delegates at large and alternate delegates at large to a National party convention who receive a plurality of the votes of their party electors in the State at large shall be the duly elected delegates at large and alternate delegates at large to the National convention of their respective parties If the rules of a particular party authorize the election of delegates and alternate delegates at large to a National party convention by the State committee candidates who receive a majority of the votes of the entire State committee shall be the duly elected delegates at large and alternate delegates at large to the National convention of their party Candidates of the various political parties for the office of delegate and alternate delegate other than delegate at large and alternate delegate at large who receive a plurality of the votes of their party electors in the political district in which they are candidates shall be duly elected delegates and alternate delegates to the National convention of their respective parties The election of delegates at large and alternate delegates at large by State committees shall be held not later than the first day of April in the years in which candidates for President of the United States are to be nominated The secretary of any political party the rules of which permit the election of delegates at large and alternate delegates at large by its State committee shall certify to the Secretary of the Commonwealth a copy of the rules prior to the first day on which nomina-

tion petitions may be filed in the office of the Secretary of the Commonwealth for the offices which are to be filled at the Spring primaries in the years in which candidates for President of the United States are to be nominated

Section 2 This act becomes effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluaka,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Leader,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for fifteen minutes, to permit a Republican Caucus.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The President pro tempore (H. Harvey Tailor) an-the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 188, entitled:

An Act to amend Section 1 of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof" by increasing the number of judges of the Municipal Court of Philadelphia.



## Senate Bill No. 230, entitled:

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence for professional employees.

## Senate Bill No. 319, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes," by providing for the method of valuation of taxable shares of stock in any regulated investment company.

## Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising, consolidating and changing the laws relating thereto," by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.

## Senate Bill No. 500, entitled:

An Act to further amend the title of and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled, as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates, or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class, for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

## Senate Bill No. 502, entitled:

An Act to amend the title and section 1 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authori-

ties organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for nonpayment to municipal authorities organized by cities of the third class.

## Senate Bill No. 503, entitled:

An Act to amend the title and Section 1 of the act, approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by extending to any municipal authority organized by any city of the third class the powers granted therein.

## Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class; for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer, sewerage and sewage treatment services.

## Senate Bill No. 586, entitled:

An Act relating to the administration without the appointment of a guardian of estates valued at one thousand dollars or less of weak minded persons drug addicts and inebriates and providing a procedure therefor

## Senate Bill No. 729, entitled:

An Act to repeal Sections 2 and 3 of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.



## Senate Bill No. 765, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by changing the definition of wages as to the rights and obligations of employers and employees where a successor-in-interest has acquired assets of a predecessor.

## Senate Bill No. 788, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund.

## Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class, and amending, revising and consolidating the law relating thereto," by prescribing a minimum period of continuous service for retirement of members of the police force, and providing for the payment of service increments to such employees in addition to their retirement allowances.

## Senate Bill No. 831, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties," by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

## Senate Bill No. 832, entitled:

An Act to amend rule fifty-five of article XII of the act approved the second day of June, one thousand eight hundred ninety-one, (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by permitting the removal of props or timber by blasting or by means of a prop puller.

## Senate Bill No. 845, entitled:

An Act to further amend Rule 12, and to amend Rule 14 of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by authorizing the use of roof bolts and other practical devices in working places.

## Senate Bill No. 869, entitled:

An Act to further amend section 322 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired.

## Senate Bill No. 883, entitled:

An Act to amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (Act No. 264), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties," by clarifying certain provisions thereof; and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

## Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by permitting employees of school districts to serve as councilmen.

## Senate Bill No. 898, entitled:

An Act to amend Section 322 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further defining eligibility for the office of school director.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.



## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 615, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles and removal of excess loads [and] prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven hundred three and seven hundred four of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 618) are further amended to read as follows

Section 703 Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross chassis

weight as given and certified to by the manufacturer shall be as follows

Class	Chassis Weight in Pounds	Fee
Four-Wheeled		
R.. Less than 2000		\$16.50
S.. 2000 and over but less than 3000		26.00
T.. 3000 and over but less than 4000		35.00
U.. 4000 and over but less than 5000	[45.00]	50.00
V.. 5000 and over but less than 6000	[70.00]	80.00
W.. 6000 and over but less than 7500	[96.00]	110.00
Y.. 7500 and over but less than 9000	[120.00]	134.00
Z.. 9000 and over	[175.00]	192.00

Class	Chassis Weight in Pounds	Fee
Six-wheel (3 Axles)		
RZ.. 2000 and over but less than 3000		\$40.00
SZ.. 3000 and over but less than 4000		50.00
TZ.. 4000 and over but less than 5000		60.00
UZ.. 5000 and over but less than 6000	[98.00]	106.00
VZ.. 6000 and over but less than 7500	[168.00]	186.00
WZ.. 7500 and over but less than 9000	[186.00]	203.00
YZ.. 9000 and over but less than 12000	[215.00]	239.00
ZZ.. 12000 and over	[250.00]	294.00

Section 704 Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires Commercial motor vehicles and truck tractors with solid rubber or cushion rubber tires approved by the Secretary of Highways of this Commonwealth other than those electrically operated shall be divided into eight (8) classes and the fee for the annual registration of such vehicles in each of the respective classes based on the gross chassis weigh as given and certified to by the manufacturer shall be as follows

Class	Chassis Weight in Pounds (Solid Rubber Tires)	Fee
Four wheeled		
R.. Less than 2000		\$28.00
S.. 2000 and over but less than 3000		45.00
T.. 3000 and over but less than 4000		60.00
U.. 4000 and over but less than 5000	[75.00]	82.00
V.. 5000 and over but less than 6000	[120.00]	132.00
W.. 6000 and over but less than 7500	[160.00]	181.00
Y.. 7500 and over but less than 9000	[204.00]	226.00
Z.. 9000 and over	[315.00]	346.00

Class	Chassis Weight in Pounds (Solid Rubber Tires)	Fee
Six-Wheeled (3 Axles)		
RZ.. 2000 and over but less than 3000		\$65.00
SZ.. 3000 and over but less than 4000		75.00
TZ.. 4000 and over but less than 5000		90.00
UZ.. 5000 and over but less than 6000	[158.00]	171.00
VZ.. 6000 and over but less than 7500	[288.00]	319.00
WZ.. 7500 and over but less than 9000	[311.00]	340.00
YZ.. 9000 and over but less than 12000	[340.00]	378.00
ZZ.. 12000 and over	[375.00]	440.00

Class	Chassis Weight in Pounds (Cushion Rubber Tires)	Fee
Four-Wheeled		
R.. Less than 2000		\$25.00
S.. 2000 and over but less than 3000		35.00
T.. 3000 and over but less than 4000		50.00
U.. 4000 and over but less than 5000	[60.00]	66.00
V.. 5000 and over but less than 6000	[92.00]	102.00
W.. 6000 and over but less than 7500	[124.00]	140.00
Y.. 7500 and over but less than 9000	[156.00]	173.00
Z.. 9000 and over	[228.00]	251.00

Class	Chassis Weights in Pounds (Cushion Rubber Tires)	Fee
Six-Wheeled (3 Axles)		
RZ.. 2000 and over but less than 3000		\$55.00
SZ.. 3000 and over but less than 4000		65.00
TZ.. 4000 and over but less than 5000		70.00
UZ.. 5000 and over but less than 6000	[133.00]	144.00
VZ.. 6000 and over but less than 7500	[213.00]	236.00
WZ.. 7500 and over but less than 9000	[236.00]	258.00
YZ.. 9000 and over but less than 12000	[265.00]	294.00
ZZ.. 12000 and over	[300.00]	352.00



Section 2 Section seven hundred six of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is further amended to read as follows

Section 706 Trailers and Semi-Trailers Trailers and semi-trailers equipped with pneumatic or solid rubber or cushion rubber tires approved by the Secretary of Highway shall be divided into seven (7) classes and the fee for annual registration of such vehicles in each of the respective classes based on the combined weight of chassis and body if so constructed or the gross weight of the trailer or semi-trailer exclusive of the load to be transported shall be as follows

Two-Wheeled Class Weight in Pounds	Semi-Trailer Weight in Pounds	Tire Equipment			Fee
		Pneumatic	Cushion	Solid	
A Less than 1000		\$5.00	\$6.00	\$8.00	
B 1000 and over but less than 2000		8.00	10.00	15.00	
C 2000 and over but less than 3000		15.00	20.00	25.00	
D 3000 and over but less than 4000		25.00	30.00	35.00	
E 4000 and over but less than 5000		30.00	40.00	50.00	
F 5000 and over but less than 6000		45.00	60.00	75.00	
G 6000 and over	[75.00] 84.00 [85.00] 95.00 [100.00]				111.00

Four-Wheeled (2 Axles) Class	Trailer or Semi-Trailer Weight in Pounds	Tire Equipment			Fee
		Pneumatic	Cushion	Solid	
A Less than 1000		\$5.00	\$6.00	\$8.00	
B 1000 and over but less than 2000		8.00	10.00	15.00	
C 2000 and over but less than 3000		15.00	20.00	25.00	
D 3000 and over but less than 4000		25.00	30.00	35.00	
E 4000 and over but less than 5000		30.00	40.00	50.00	
F 5000 and over but less than 6000		45.00	60.00	75.00	
G 6000 and over	[75.00] 95.00 [85.00] 108.00 [100.00]				127.00

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds	Tire Equipment			Fee
		Pneumatic	Cushion	Solid	
AZ Less than 3000		\$40.00	\$45.00	\$50.00	
BZ 3000 and over but less than 4000		45.00	50.00	60.00	
CZ 4000 and over but less than 5000		50.00	60.00	70.00	
DZ 5000 and over but less than 6000		60.00	75.00	90.00	
EZ 6000 and over but less than 7000		75.00	100.00	125.00	
FZ 7000 and over but less than 9000		85.00	110.00	135.00	
GZ 9000 and over	[100.00] 130.00 [125.00] 163.00 [150.00]				196.00

Section 3 Section eight hundred eleven of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is further amended by adding thereto after clause (i) a new clause to read as follows

#### Section 811 Brakes

\* \* \* \* \*

(j) Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer or of a truck tractor and semi-trailer when used on a highway shall be equipped with brakes having an aggregate braking surface of not less than one (1) square inch for each fifty-five (55) pounds of maximum gross weight allowed by section nine hundred three of this act

Section 4 Said act is further amended by adding thereto after section eight hundred twenty-one a new section to read as follows

Section 821.1 Minimum Engine Capacity Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer or of a truck tractor and semi-trailer when used on a highway shall be equipped with an engine capable of propelling such vehicle or combination up a grade of two percentum (2%) at a speed of not less than twenty (20) miles per hour when such vehicle or combination is loaded to the maximum gross weight allowed by section nine hundred three of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment shall undergo imprisonment for not more than five (5) days

Section 5 Section nine hundred three of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 1328) and as amended in part by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is further amended to read as follows

#### Section 903 Weight of Vehicles and Loads

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled (2 Axles)		Maximum Gross Weight in Pounds
Class	Chassis Weight in Pounds	
R Less than 2000		5000
S 2000 and over but less than 3000		7000
T 3000 and over but less than 4000		11000
U 4000 and over but less than 5000		[15000] 16500
V 5000 and over but less than 6000		[19000] 21000
W 6000 and over but less than 7500		[23000] 26000
Y 7500 and over but less than 9000		[27000] 30000
Z 9000 and over		[30000] 33000

Six-Wheeled (3 Axles)		Maximum Gross Weight in Pounds
Class	Chassis Weight in Pounds	
RZ 2000 and over but less than 3000		12000
SZ 3000 and over but less than 4000		14000
TZ 4000 and over but less than 5000		16000
UZ 5000 and over but less than 6000		[24000] 26000
VZ 6000 and over but less than 7500		[28000] 31000
WZ 7500 and over but less than 9000		[32000] 35000
YZ 9000 and over but less than 12000		[36000] 40000
ZZ 12000 and over		[40000] 47000

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows

Four-Wheeled (2 Axles)		Maximum Gross Weight in Pounds
Class		
R		5000
S		7000
T		11000
U		15000
V		18000
W		22000
Y		25000
Z		26000

Six-Wheeled (3 Axles)		Maximum Gross Weight in Pounds
Class		
RZ		12000
SZ		14000
TZ		16000
UZ		22000
VZ		26000
WZ		30000
YZ		34000
ZZ		36000

(c) Trailers and semi-trailers except trailers designed and used exclusively for living quarters shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows



Four-Wheeled (2 Axles) Trailer or Semi-Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	16000
E	4000 and over but less than 5000	20000
F	5000 and over but less than 6000	24000
G	6000 and over	[26000] 33000

Six-Wheeled (3 Axles) Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds
AZ	Less than 3000	12000
BZ	3000 and over but less than 4000	15000
CZ	4000 and over but less than 5000	20000
DZ	5000 and over but less than 6000	26000
EZ	6000 and over but less than 7000	30000
FZ	7000 and over but less than 9000	34000
GZ	9000 and over	[36000] 47000

Two-Wheeled (1 Axle) Semi-Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	12000
E	4000 and over but less than 5000	14000
F	5000 and over but less than 6000	16000
G	6000 and over	[18000] 20000

(d) [No two-wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of twenty thousand (20,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire] Whenever two vehicles are used or operated as a combination on any highway the gross weight of the combination shall not exceed the sum of the maximum gross weights allowed for the respective vehicles and in addition the gross weight of the combination shall not exceed the gross weight specified as follows

Combination	Maximum Gross Weight in Pounds
Truck tractor and single-axle semi-trailer	48000
Truck tractor and two-axle semi-trailer	60000
Commercial motor vehicle and trailer	62000

(e) [No four-wheeled vehicle except fire department equipment and any motor bus operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel] Maximum gross weights provided in this section are allowed only under conditions where no other restrictions are provided in this act or in any other laws regulating maximum gross weights of vehicles

(f) [No six or more wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of forty thousand (40,000) pounds or in excess of eight thousand (8,000) pounds on the front axle or in excess of eighteen thousand (18,000) pounds on any one of the rear axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart] No vehicle shall be operated upon any highway with weight in excess of twenty thousand (20,000) pounds upon any one axle or in excess of thirty-six thousand (36,000) pounds on a pair of axles less than seventy-two (72) inches apart No vehicle shall be operated upon any highway with weight in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(g) [No truck tractor and semi-trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of forty-five thousand (45,000) pounds or in excess of twenty-thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor] No three-axle vehicle or two axle semi-trailer shall be operated upon any highway unless the rear axles be parallel and at least forty (40) inches apart and no truck tractor and semi-trailer shall be operated as a combination on any highway unless the rearmost axle of the truck tractor and the foremost axle of the semi-trailer be at least ninety-six (96) inches apart

(h) [No commercial motor vehicle and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-two thousand (62,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel] None of the restrictions provided in this section shall be applicable to fire department equipment or to any two axle bus operated within a municipality or in a business or residence district

[(1)] (I) A variance of five per centum (5%) over the several maximum weights allowed by the foregoing clauses of this section shall be permitted and no penalty for violation of this section shall be imposed for such variance provided however that no variance shall be permitted for the combination of a truck-tractor and two-axle semi-trailer or for a pair of axles less than seventy-two (72) inches apart [maximum gross weight provided in this section are permissible only under conditions where no other restrictions are provided in this act or in any other laws regulating the gross maximum weight of vehicles

Penalty Any person operating any vehicle upon any highway with a gross weight exceeding by more than five (5) per centum the maximum gross weight allowed and not exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle on any highway with a gross weight exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days]

#### Penalties

Subject to the provisions of clause (i) of this section any person operating any vehicle or combination of vehicles upon a highway in violation of this section shall upon summary conviction before a magistrate be sentenced to pay the costs of prosecution and a fine according to the following schedule

For violating clause (a) (b) (c) or (d) of this section the fine shall be one hundred (\$100) dollars plus two (\$2) dollars for each one hundred (100) pounds or part thereof by which the gross weight of the vehicle or combination of vehicles exceeds the maximum gross weight allowed thereof exclusive of the variance permitted by clause (i) but inclusive of a variance of three thousand one hundred (3,100) pounds

Provided that no variance of any amount shall be permitted for the combination of a truck-tractor and two-axle semi-trailer

For violating clause (f) without violating clause (a) (b) (c) or (d) of this section the fine shall be twenty-five (\$25) dollars

For violating clause (g) of this section the fine shall be twenty-five (\$25) dollars

Any fines and costs of prosecution imposed for violation of clause (a) (b) (c) (d) (f) or (g) of this section shall constitute and be a first lien upon the vehicle or combination of vehicles which lien shall continue until



the fine and costs of prosecution and all reasonable costs attendant upon or arising out of the enforcement of the lien are paid it shall be the duty of the operator or owner of any such vehicle or combination of vehicles to drive or cause the same to be driven to such off-the-highway parking area or storage facility as the magistrate may designate and except for such movement or any movement that may be required in the performance of the duties hereinafter imposed upon the sheriff no vehicle or combination of vehicles subject to a lien as herein provided for shall be operated on the highways of this Commonwealth or be registered or the title thereof transferred either voluntarily or by operation of law as long as said lien remains unsatisfied any operator or owner who fails neglects or refuses to comply with an order of a magistrate to deliver a vehicle or combination of vehicles to a parking area or storage facility designated by said magistrate or a person who operates or causes or permits to be operated a vehicle or combination of vehicles or who procures the registration or transfer of title of a vehicle knowing the same to be subject to the lien herein provided for shall upon summary conviction before a magistrate be sentenced to pay a fine of two hundred (\$200.00) dollars and costs of prosecution and in default of the payment thereof shall be sentenced to undergo imprisonment for thirty (30) days if the fine and costs of prosecution for violation of clause (a) (b) (c) (d) (f) or (g) of this section and all other costs incidental to the enforcement of the lien shall not be paid within ten (10) days the magistrate shall forthwith issue an order directed to the sheriff of the county commanding him to sell at public sale any vehicle or combination of vehicles subject to such lien within five (5) days following receipt of such an order of sale the sheriff shall send by registered mail to the owner conditional vendor bailor lessor or mortgagee as disclosed in official registration certificates accompanying the vehicle or conspicuously displayed on the dash of a motor vehicle or the lower front left side of a trailer or semi-trailer at the address set forth therein a notice of the sale free and clear of all liens and encumbrances stating inter alia (1) the date time and place of the sale (2) the amount of the fine and all costs including those incidental to the enforcement of the lien which have accrued to the date of the notice and (3) a statement that the vehicle may be repossessed at any time prior to the sale upon payment of the fine and all costs which have accrued up to the date of the satisfaction of the lien the posting of such notice by registered mail addressed as aforesaid shall constitute notice to the addressee the sale shall be advertised once each week for three (3) successive weeks in a newspaper of general circulation in the county and shall be held not less than thirty (30) days following the date of the first advertisement the sale shall operate to divest any and all existing liens or encumbrances on such vehicle or combination of vehicles provided that the owner or the conditional vendor bailor lessor or mortgagee shall have the right to repossess the same upon payment of the fine and all costs accrued at any time prior to the sale the magistrate and sheriff shall be entitled to the same fees to which they are entitled by law for similar services provided that the magistrates fee for arranging for a parking or storage facility shall be five (\$5.00) dollars for each vehicle and for each order of sale directed to the sheriff five (\$5.00) dollars and provided further that the sheriffs fee for the preparation and transmission of the notice of sale shall be five (\$5.00) dollars each the proceeds of sale shall be distributed in the following order viz (1) costs of sale (2) storage costs (3) costs of prosecution (4) fine (5) equitable owners as their interests may appear (6) owner neither the peace officer magistrate nor sheriff shall incur any liability whatsoever by virtue of any act done hereunder Violation of this section by any person shall not affect his operating privilege or his privilege to apply for an operator's license or learner's permit under any other section of this act

Section 6 Section nine hundred four of said act as amended by the act approved the twenty-ninth day of

June one thousand nine hundred thirty-seven (P. L. 2329) is further amended to

Section 904 Officers May Weigh Vehicles and Require Removal of Excess Load Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority having reason to believe that the gross weight of a vehicle or combination of vehicles or the weight upon an axle or pair of axles thereof [and load] is unlawful is authorized to weight the same either by means of portable or stationary scales or may require that such vehicle or combination be driven to the nearest stationary scales in the event such scales are within a distance of two (2) miles [The] If the weight upon an axle or pair of axles exceeds the maximum weight allowed therefor or if the gross weight of the vehicle or combination of vehicles exceeds the maximum gross weight allowed the peace officer may [then] and if such gross weight exceeds maximum gross weight allowed and also exceeds fifty thousand four hundred (50,400) pounds the peace officer shall require the operator to [unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle] reduce or rearrange the load so as to bring the gross weight or weight upon an axle or pair of axles to not more than the respective maximum gross weight or maximum weight allowed [specified in this act] except as herein provided for special permits this section shall be subject to the provisions of clause (I) of section nine hundred three of this act [And further provided That no arrests shall be made or information brought in cases where the maximum gross weights provided in this act are not exceeded by more than five (5) per centum thereof]

Penalty Any [person violating any of] operator who shall fail neglect or refuse to comply with the requirements of a peace officer given pursuant to the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [ten (\$10)] one hundred (\$100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [five (5)] thirty (30) days in addition to the foregoing penalty the Secretary may suspend the operating privilege of the aforesaid person for a period of thirty (30) days

Section 7 Sections one and two of this act shall become effective the first day of the registration year commencing in one thousand nine hundred fifty-two sections three and four of this act shall become effective the first day of the registration year commencing in one thousand nine hundred fifty-three Sections five and six of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 615

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 615.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,  
Berger,  
Blass,  
Byrne,  
Crowe,  
Dent,

Kessler,  
Leader,  
Letzler,  
McCreesh,  
McGinnis,  
McMenamin,

Pechan,  
Propert,  
Robinson,  
Rosenfeld,  
Ruth,  
Silvert,

Taylor,  
Toole,  
Wade,  
Watkins,  
Watson,  
Yosko,

DiSilvestro, Freed,	McPherson, Jr. Meade,	Snowden, Stiefel,	Hare, Presiding Officer
------------------------	--------------------------	----------------------	----------------------------

## NAYS—18

Bane, Barrett, Chapman, Diehm, Lane, Fleming,	Haluska, Holland, Kephart, Lane, Mahanay,	Mallery, Neff, Peelor, Stevenson,	Wagner, Walker, Wolfe, Wood,
--	---	--	---------------------------------------

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 793, as follows:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to any real estate situate in this Commonwealth which may have been held prior to the first day of January one thousand nine hundred fifty-one by any foreign corporation not authorized under the laws of Pennsylvania to transact business in Pennsylvania the title to which real estate has been heretofore conveyed by such foreign corporation to any citizen or citizens of the United States or to any corporation incorporated under the laws of this Commonwealth or of any other state or commonwealth in the United States and authorized to hold such real estate is hereby declared to be good and valid and free and clear of any right of escheat by the Commonwealth and such citizen citizens or corporation grantees as aforesaid and his their or its respective heirs successors and assigns shall hold and may convey such title and esate indefeasible as to any right of escheat which the Commonwealth might otherwise have by reason of said unauthorized holding and conveyance by such foreign corporation and all such conveyances heretofore made are hereby ratified and confirmed

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 This act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 793

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 793.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane, Barr, Barrett, Berger, Blass, Byrne, Chapman, Crowe, Dent, Diehm, DiSilvestro, Fleming, Freed,	Haluska, Holland, Kephart, Kessler, Lane, Leader, Letzler, Mahany, Mallery, McCreesh, McGinnis, McMenamin, Freed,	McPherson, Jr. Meade, Neff, Pechan, Peelor, Propert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Stiefel, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, Yosko, Hare, Presidin. Officer
--	---	---	--

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1404

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1404, as follows:

## Report of the Committee of Conference on House Bill No. 1404

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1404, entitled:

"An act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof"

Respectfully submit the following bill as our report:

PAUL L. WAGNER,  
EDWARD J. KESSLER,  
JOSEPH J. YOSKO,  
(Committee on the part of the Senate.)  
W. STUART HELM,  
D. RAYMOND SOLLENBERGER,  
HARRY E. SEYLER,

(Committee on the part of the House of Representatives.)

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 677 a new section to read as follows

Section 677.1 Additions and Revisions to Duplicates



Whenever in third and fourth class school districts there is any construction of a building or buildings after September first of any year and such building is not included in the tax duplicate of the school district the authority responsible for assessments in the city borough township or county shall upon the request of the board of school directors direct the assessor in the district to inspect and reassess subject to the right of appeal an adjustment provided by the act of Assembly under which assessments are made all taxable property in the district to which major improvements have been made after September first and to give notice of such reassessments within ten days to the authority responsible for assessments the school district and the property owner Such property shall then be added to the duplicate and shall be taxable for school purposes at the reassessed valuation for that proportionate part of the fiscal year of the school district remaining after the property was improved Any improvement made during the month shall be computed as having been made on the first of the month A certified copy of the additions or revisions to the duplicate shall be furnished by the board of school directors to the tax collector for the district and within ten days thereafter the tax collector shall notify the owner of the property of the taxes due the school district

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1404

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1404.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefe,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silver,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1330, on third reading, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed certain mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain

of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature or become due and payable and decrees or defects of record arise occur exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrances or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act.

be recommitted to the Committee on Judiciary General.

Mr. ROBINSON. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1441, as follows:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and increasing the number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (a) (c) and (d) of section three hundred six of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) clause (a) and (c) of which were last amended by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1369) are hereby further amended to read as follows

Section 306 The following schedule of compensation is hereby established for injuries resulting in total disability

(a) For the first [five] seven hundred weeks after the seventh day of total disability sixty-six and two-thirds per centum of the wages of the injured employee as defined in section three hundred and nine but the compensation shall not be more than [twenty-five] thirty dollars per week nor less than [twelve dollars and fifty cents] twenty dollars per week and shall not exceed in the aggregate the sum of [twelve thousand five hundred] twenty thousand dollars Provided That if at the time of the injury the employee receives wages of less than [twelve dollars and fifty cents] twenty dollars per week then he shall receive full amount of such wages per week as compensation but in no event less than [six dollars and twenty-five cents] ten dollars per week Nothing in this clause shall require payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability



\* \* \* \* \*

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand sixty-six and two-thirds per centum of wages during one hundred and seventy-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of an arm sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a lower leg sixty-six and two-thirds per centum of wages during one hundred and eighty weeks

For the loss of a leg sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty-six and two-thirds per centum of wages during one hundred and twenty-five weeks

For the complete loss of hearing in both ears sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a thumb sixty-six and two-thirds per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty-six and two-thirds per centum of wages during thirty-five weeks

For the loss of a second finger sixty-six and two-thirds per centum of wages during thirty weeks

For the loss of a third finger sixty-six and two-thirds per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty-six and two-thirds per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger and shall be compensated at the same rate as for the loss of a thumb or finger but for one-half of the period provided for the loss of a thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For the loss of a great toe sixty-six and two-thirds per centum of wages during forty weeks

For the loss of any other toe sixty-six and two-thirds per centum of wages during sixteen weeks

The loss of the first phalange of the great toe or of any toe shall be considered equivalent to the loss of one-half of such great toe or other toe and shall be compensated at the same rate as for the loss of a great toe or other toe but for one-half of the period provided for the loss of a great toe or other toe

The loss of more than one phalange of a great toe or any toe shall be considered equivalent to the loss of the entire great toe or other toe

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For serious and permanent disfigurement of the head or face of such a character as to produce an unsightly appearance and such as is not usually incident to the employment sixty-six and two-thirds per centum of wages not to exceed one hundred and fifty weeks

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation at the wrist shall be considered as the equivalent of the loss of a hand and amputation at the ankle shall be considered as the equivalent of the loss of a foot Amputation between the wrist and the elbow shall be considered as the loss of a forearm and amputation

between the ankle and the knee shall be considered as the loss of a lower leg Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg eye finger or thumb great toe or other toe shall be considered as the equivalent of the loss of such hand arm foot leg eye finger or thumb great toe or other toe

This compensation shall not be more than [twenty-five] thirty dollars per week nor less than [twelve dollars and fifty cents] twenty dollars per week Provided That if at the time of injury the employe receives wages of less than [twelve dollars and fifty cents] twenty dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than [six dollars and twenty-five cents] ten dollars per week

(d) The period of [five hundred weeks] total disability mentioned in clause (a) three hundred weeks mentioned in clause (b) and the specific periods (or aggregate specific periods as the case may be) mentioned in clause (c) shall begin to run seven days after disability begins and shall run concurrently

Section 2 Section 307 of said act as last amended by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1396) is hereby further amended to read as follows

Section 307 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 If there be no widow nor widower entitled to compensation compensation shall be paid to the guardian of the child or children or if there be no guardian to such other persons as may be designated by the board as hereinafter provided as follows

(a) If there be one child twenty-five per centum of wages of deceased but not in excess of [eight dollars and seventy-five cents] ten dollars and fifty cents per week

(b) If there be two children thirty-five per centum of wages of deceased but not in excess of [twelve dollars and fifty cents] fifteen dollars per week

(c) If there be three children forty-five per centum of wages of deceased but not in excess of [sixteen dollars and twenty-five cents] nineteen dollars and fifty cents per week

(d) If there be four children fifty-five per centum of wages of deceased but not in excess of twenty-four dollars per week

(e) If there be five children sixty-two and one-half per centum of wages of deceased but not in excess of [twenty-two dollars and fifty cents] twenty-seven dollars per week

(f) If there be six or more children sixty-six and two-thirds per centum of wages of deceased but not in excess of [twenty-five] thirty dollars per week

2 To the widow or widower if there be no children forty-four per centum of wages but not in excess of [fifteen] eighteen dollars per week

3 To the widow or widower if there be one child fifty-three per centum of wages but not in excess of [eighteen dollars and seventy-five cents] twenty-two dollars and fifty cents per week

4 To the widow or widower if there be two children sixty-two and one-half per centum of wages but not in excess of [twenty-two dollars and fifty cents] twenty-seven per week

4½ To the widow or widower if there be three or more children sixty-six and two thirds per centum of wages but not in excess of [twenty-five] thirty dollars per week

5 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of the accident twenty-five per centum of wages but not in excess of [seven dollars and fifty cents] nine dollars per week provided however that in the case of a minor child who has been contributing to his parents the dependency of said parents shall be presumed and provided further that if the father or mother was totally dependent upon the deceased employe at the time of the accident the



compensation payable to such father or mother shall be forty-five per centum of wages but not in excess of [thirteen dollars and seventy-five] sixteen dollars and fifty cents per week

6 If there be neither widow or widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian or if there be no guardian to such other person as may be designated by the board as hereinafter provided

7 Whether or not there be dependents as aforesaid the reasonable expense of burial not exceeding two hundred and fifty dollars which shall be paid by the employer or incurer directly to the undertaker (without deduction or any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen no compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him and receiving from him a substantial portion of her support no compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support if members of decedent's household at the time of his death the terms "child" and "children" shall include step-children adopted children an children to whom he stood in loco parentis and shall include posthumous children Should any dependent of a deceased employe die or re-marry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease provided however that upon remarriage of any widow the compensation of such widow shall continue as hereinbefore provided for one-third of the period during which compensation then remains payable to her Provided further that if upon investigation and hearing it shall be ascertained that the widow or widower is living with a man or woman as the case may be in meretricious relationship and not married or the widow living a life of prostitution the board may order the termination of compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed [thirty-seven dollars and fifty cents] forty-five dollars per week nor be less than [twenty-one dollars and twenty-five] twenty-five dollars and fifty cents per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation Under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of seventeen and one-half per centum of wages but not in excess of [five dollars and seventy-five cents] six dollars and ninety cents per week if there is one child twenty-seven and one-half per centum of wages but not in excess of [eight dollars and seventy-five cents] ten dollars and fifty cents per week if there are two children thirty-eight and one-half per centum of wages but not in excess of [twelve dollars and fifty cents] fifteen dollars per week if there are three children fifty per centum of wages but not in excess of [sixteen dollars and twenty-five cents] nineteen dollars and fifty cents per week if there are four children fifty-five per centum of wages but not in excess of [seventeen dollars and fifty cents] twenty-one dollars per week if there are five children and sixty

per centum of wages but not in excess of twenty-four dollars per week if there are six children or more

The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a child or children or to a widow or a widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct if there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person

Section 3 Section four hundred ten of said act as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) is hereby further amended to read as follows

Section 410 If after any accident the employer and the employe or his dependent concerned in any accident shall fail to agree upon the facts thereof and the compensation due under this act the employe or his dependents may present a claim for compensation to the board

Whenever any claim for compensation is presented to the board and is finally adjudicated in favor of the claimant the amounts of compensation actually due at the time the first payment is made after such adjudication shall bear interest at the rate of six per centum per annum from the day such claim is presented and such interest shall be payable to the same persons as the compensation is payable

In case any claimant shall die before the final adjudication of his claim the amount of compensation due such claimant to the date of death shall be paid to the dependents entitled to compensation or if there be no dependents then to the estate of the decedent

Whenever any claim for compensation is presented to the board or a referee and the injury and accident are not denied and the only issue involved is the liability as between the defendant or the carrier or two or more carriers the referee or the board shall forthwith order payments to be immediately made by the defendants or the carriers in said case After the referee or the board rendered a final decision the payments made by the defendant or carrier not liable in the case shall be awarded or assessed against the defendant or carrier liable in the case as costs in the proceedings in favor of the defendant or carrier not liable in the case

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,



Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Mahanay,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Rosenfeld,  
Ruth,  
Silvert,  
Snowden,  
Stevenson,

Watson,  
Wolfe,  
Wood,  
Yosko,  
Hare,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1442, as follows:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and further defining the liability of the employer and the Commonwealth removing the limitation on total disability or death caused by certain occupational diseases eliminating the medical board and its functions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (a) and (e) of section three hundred one and clauses (a) (c) and (d) of section three hundred six of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" clause (a) of section three hundred one and clauses (a) and (e) of section three hundred six of which were last amended by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1379) are hereby amended or further amended to read as follows

Section 301 (a) When employer and employee shall by agreement either express or implied as hereinafter provided accept the provisions of article three of this act compensation for disability or death of such employee caused by occupational disease arising out of and in the course of his employment shall be paid by the employer without regard to negligence according to the schedule contained in sections three hundred and six and three hundred and seven of this article but

1 No compensation shall be paid when the disability or death is caused by the employee's violation of law but

the burden of proof of such fact shall be upon the employer

2 The maximum compensation payable under this article for disability and death resulting from silicosis anthraco-silicosis or asbestosis shall not exceed the sum of [five thousand dollars (\$5000)] six thousand five hundred dollars (\$6500) which shall be full and complete payment for all disability present or future or for death from such occupational diseases arising out of employment by any and all employers in this Commonwealth

(e) Compensation shall not be payable for partial disability due to silicosis anthraco-silicosis or asbestosis compensation shall be payable as otherwise provided in this act for total disability or death caused [solely (as definitely distinguished from a contributory or accelerating cause)] by silicosis anthraco-silicosis or asbestosis when accompanied by active pulmonary tuberculosis

Section 306 The following schedule of compensation is hereby established for total disability resulting from occupational disease subject to the limitations of section 301.

(a) For the first [five] seven hundred weeks after the seventh day of total disability sixty-six and two-thirds per centum of the wages of the disabled employee as defined in section three hundred and nine but the compensation shall not be more than [twenty-five] thirty dollars per week nor less than [twelve dollars and fifty cents] twenty dollars per week and shall not exceed in the aggregate the sum of [twelve thousand five hundred] twenty thousand dollars Provided That if at the date when disability begins the employee receives wages of less than [twelve dollars and fifty cents] twenty dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than [six dollars and twenty-five cents] ten dollars per week Nothing in this clause shall require payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

(c) For all disability resulting from loss or loss of the use of members resulting from occupational disease the compensation shall be exclusively as follows

For the loss of a hand sixty-six and two-thirds per centum of wages during one hundred and seventy-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of an arm sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a lower leg sixty-six and two-thirds per centum of wages during one hundred and eighty weeks

For the loss of a leg sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty-six and two-thirds per centum of wages during one hundred and twenty-five weeks

For the complete loss of hearing in both ears sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a thumb sixty-six and two-thirds per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty-six and two-thirds per centum of wages during thirty-five weeks

For the loss of a second finger sixty-six and two-thirds per centum of wages during thirty weeks

For the loss of a third finger sixty-six and two-thirds per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty-six and two-thirds per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any



finger shall be considered equivalent to the loss of one-half of such thumb or finger and shall be compensated at the same rate as for the loss of a thumb or finger but for one-half of the period provided for the loss of a thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For the loss of a great toe sixty-six and two-thirds per centum of wages during forty weeks

For the loss of any other toe sixty-six and two-thirds per centum of wages during sixteen weeks

The loss of the first phalange of the great toe or of any toe shall be considered equivalent to the loss of one-half of such great toe or other toe and shall be compensated at the same rate as for the loss of a great toe or other toe but for one-half of the period provided for the loss of a great toe or other toe

The loss of more than one phalange of a great toe or any toe shall be considered equivalent to the loss of the entire great toe or other toe

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation at the wrist shall be considered as the equivalent of the loss of a hand and amputation at the ankle shall be considered as the equivalent of the loss of a foot Amputation between the wrist and the elbow shall be considered as the loss of a forearm and amputation between the ankle and the knee shall be considered as the loss of a lower leg Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg eye finger or thumb great toe or other toe shall be considered as the equivalent of the loss of such hand arm foot leg eye finger or thumb great toe or other toe

This compensation shall not be more than [twenty-five] thirty dollars per week nor less than [twelve dollars and fifty cents] twenty dollars per week Providing That if at the time of disability the employe receives wages of less than [twelve dollars and fifty cents] twenty dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than [six dollars and twenty-five cents] ten dollars per week

(d) The period of [five hundred weeks] total disability mentioned in clause (a) three hundred weeks mentioned in clause (b) and the specific periods (or aggregate specific periods as the case may be) mentioned in clause (c) shall begin to run seven days after disability begins and shall run concurrently

Section 2 Section 307 and clause (a) of section three hundred eight of said act as last amended by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1379) is hereby further amended to read as follows

Section 307 In case of death resulting from occupational disease compensation shall be computed on the following basis and distributed to the following persons subject to the limitations of Section 301

1 If there be no widow nor widower entitled to compensation compensation shall be paid to the guardian of the child or children or if there be no guardian to such other persons as may be designated by the board as hereinafter provided as follows

(a) If there be one child twenty-five per centum of wages of deceased but not in excess of [eight dollars and seventy-five cents] ten dollars and fifty cents per week

(b) If there be two children thirty-five per centum of

wages of deceased but not in excess of [twelve dollars and fifty cents] fifteen dollars per week

(c) If there be three children forty-five per centum of wages of deceased but not in excess of [sixteen dollars and twenty-five cents] nineteen dollars and fifty cents per week

(d) If there be four children fifty-five per centum of wages of deceased but not in excess of [twenty] twenty-four dollars per week

(e) If there be five children sixty-two and one-half per centum of wage of deceased but not in excess of [twenty-two dollars and fifty cents] twenty-seven dollars per week

(f) If there be six or more children sixty-six and two-thirds per centum of wages of deceased but not in excess of [twenty-five] thirty dollars per week

2 To the widow or widower if there be no children forty-four per centum of wages but not in excess of [fifteen] eighteen dollars per week

3 To the widow or widower if there be one child fifty-three per centum of wages but not in excess of [eighteen dollars and seventy-five cents] twenty-two dollars and fifty cents per week

4 To the widow or widower if there be two children sixty-two and one-half per centum of wages but not in excess of [twenty-two dollars and fifty cents] twenty-seven dollars per week

5 To the widow or widower if there be three or more children sixty-six and two-thirds per centum of wages but not in excess of [twenty-five] thirty dollars per week

6 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of his death twenty-five per centum of wages but not in excess of [seven dollars and fifty cents] nine dollars per week provided however that in the case of a minor child who has been contributing to his parents the dependency of said parents shall be presumed and provided further that if the father or mother was totally dependent upon the deceased employe at the time of his death the compensation payable to such father or mother shall be forty-five per centum of wages but not in excess of [thirteen dollars and seventy-five cents] sixteen dollars and fifty cents per week

7 If there be neither widow widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian or if there be no guardian to such other person as may be designated by the board as hereinafter provided

8 Whether or not there be dependents as aforesaid the reasonable expense of burial not exceeding two hundred and fifty dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen no compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him and receiving from him a substantial portion of her support no compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support if members of decedent's household at the time of his death the terms "child" and "children" shall include stepchildren adopted children and children to whom he stood in loco parentis and shall include posthumous children should any dependent of a deceased employe die or remarry or should the widower become capable of self-



support the right of such dependent or widower to compensation under this section shall cease provided however that upon remarriage of any widow the compensation of such widow shall continue as hereinbefore provided for one-third of the period during which compensation then remains payable to her provided further that if upon investigation and hearing it shall be ascertained that the widow or widower is living with a man or woman as the case may be in meretricious relationship and not married or the widow living a life of prostitution the board may order the termination of compensation payable to such widow or widower if the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed [thirty-seven dollars and fifty cents] forty-five dollars per week nor be less than [twenty-one dollars and twenty-five cents] twenty-five dollars and fifty cents per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of seventeen and one-half per centum of wages but not in excess of [five dollars and seventy-five cents] six dollars and ninety cents per week if there is one child twenty-seven and one-half per centum of wages but not in excess of [eight dollars and seventy-five cents] ten dollars and fifty cents per week if there are two children thirty-eight and one-half per centum of wages but not in excess of [twelve dollars and fifty cents] fifteen dollars per week if there are three children fifty per centum of wages but not in excess of [sixteen dollars and twenty-five cents] nineteen dollars and fifty cents per week if there are four children fifty-five per centum of wages but not in excess of [seventeen dollars and fifty cents] twenty-one dollars per week if there be five children and sixty per centum of wages but not in excess of [twenty dollars] twenty-four dollars per week if there be six children or more

The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a child or children or to a widow or widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as herein-after provided may direct if there be, no guardian or committee of any minor dependent or insane employee or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employee or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employee or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person

Section 308 (a) When compensation is awarded because of disability or death caused by silicosis anthraco-silicosis asbestosis or any other occupational disease which developed to the point of disablement only after an exposure of five or more years the compensation for disability or death due to such disease shall be paid jointly by the employer and the Commonwealth in accordance with the following provisions If disability begins between October 1 1939 and September 30 1941 both dates inclusive the employer shall be liable for and pay fifty per centum of the compensation due and the Commonwealth fifty per centum thereof Thereafter depending upon the date when disability begins the proportions of compensation

for which the employer and the Commonwealth shall respectively become liable shall be If disability begins between October 1 1941 and September 30 1943 the employer sixty per centum and the Commonwealth forty per centum if between October 1 1943 and September 30 1945 the employer seventy per centum and the Commonwealth thirty per centum if between October 1 1945 and September 30 1947 the employer eighty per centum and the Commonwealth twenty per centum if between October 1 1947 and September 30 1951 the employer ninety per centum and the Commonwealth ten per centum [The employer shall pay the full amount of compensation provided in this act for disability or death in all cases where disability begins on or after October 1 1951] if disability begins after September 30 1951 the employer shall be liable for sixty per centum of the compensation due and the Commonwealth forty per centum

Section 3 Section 401 of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-one (P. L. 125) is hereby further amended to read as follows

Section 401 The term "employer" when used in this article shall mean the employer as defined in article one of this act or his duly authorized agent or his insurer if such insurer has assumed the employer's liability or the State workmen's insurance fund of this Commonwealth if the employer be insured therein

The department shall be deemed a "party in interest" in any proceeding under this article before a referee the board or any court involving any claim for compensation a part of which is payable by the Commonwealth under the provisions of this act

[The term "medical board" shall mean a medical board constituted as provided in section four hundred and two]

Section 4 Section 402 and 420 of said act are hereby repealed

Section 5 Section 421 422 and 423 of said act are hereby amended to read as follows

Section 421 all hearings before the board or one or more members thereof [or before the medical board] or before a referee shall be public

Section 422 The board its members and the referees [and the medical board] shall not be bound by the technical rules of evidence in conducting hearings and investigations but all findings of fact shall be based only upon sufficient competent evidence to justify them

If any party or witness resides outside of the Commonwealth or through illness or other cause is unable to testify before the board or a referee [or the medical board] his or her testimony or deposition may be taken within or without this Commonwealth in such manner and in such form as the board may by special order or general rule prescribe the records kept by a hospital of the medical or surgical treatment given to an employee in such hospital shall be admissible as evidence of the medical and surgical matters stated therein but shall not be conclusive proof of such matters

Section 423 any party in interest may within twenty days after notice of a referee's award or disallowance or compensation shall have been served upon him take an appeal to the board on the ground (1) that the award or disallowance of compensation is not in conformity with the terms of this act or that the referee committed any other error of law (2) that the findings of fact and award or disallowance of compensation was unwarranted by sufficient competent evidence or was procured by fraud coercion or other improper conduct of any party in interest the board may upon cause shown extend the time provided in this article for taking such appeal or for the filing of an answer or other pleading

In any such appeal the board may disregard the findings of fact of the referee and may examine the testimony taken before such referee and if it deem proper may hear other evidence and may substitute for the findings of the referee such findings of fact as the evidence taken before the referee and the board as hereinbefore provided may in the judgement of the board require and may make such disallowance or award of compensation or other



order as the facts so founded by it may require [but the] [board shall accept as conclusive upon it the findings and conclusions of the Medical board]

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Haluska,	McPherson, Jr.	Taylor,
Barr,	Holland,	Meade,	Toole,
Barrett,	Kephart,	Neff,	Wade,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelot,	Walker,
Byrne,	Leader,	Probert,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Silvert,	Wood,
DiSilvestro,	McCreesh,	Snowden,	Yosko,
Fleming,	McGinnis,	Stevenson,	Hare,
Freed,	McMenamin,	Stiefel,	Presiding Officer

#### NAYS—2

Chapman, Robinson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information the the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1638, on third reading, entitled:

An Act to further amend section thirteen of the act approved the twenty-eight day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefore prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### HOUSE BILL No. 965 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 965.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 965, on third reading entitled:

An Act to amend Section 2504 and to further amend Section 2507 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the amounts payable by the Commonwealth on account of vocational curriculums and vocational extension classes

be recommitted to the Committee on Judiciary General.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

#### SECOND READING CALENDAR

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 241, on second reading, entitled:

An Act to amend section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the age range of children prohibited admittance to moving picture theatres during school hours

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 609, entitled:

An Act to further amend Sections 10 and 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lienied the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the

procedure on tax and municipal claims under other and prior acts of Assembly" by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 708, on second reading, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not heretofore served providing for regulation of such service after approval and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1113, entitled:

An Act to further amend Section 17 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation," by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1381, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Private Trade Schools and prescribing penalties" by further defining "agent" prohibiting agents from representing more than one school clarifying the

period for which a license is effective and requiring the keeping and maintaining of certain records by licensees

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1550, on second reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1625, on second reading, entitled:

An Act to add sections 14.1 and 14.2 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement and making such changes retroactive in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. WALKER. Mr. President I move that House Bill No. 1646 on second reading entitled:

An Act to add subsection (4) to section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

be recommitted to the Committee on Agriculture.

Mr. PEELOR. Mr. President I second the motion.

The motion was agreed to.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The Senate proceeded to the second reading and consideration of House Bill No. 1658 entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

And said bill having been read at length the second time and agreed

Ordered, To be transcribed for a third reading.



### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1662, on second reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1704, entitled:

An Act to further amend sections 4 and 8 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the property liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes, heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by increasing the salary of members of the General Assembly and providing a salary and payment of expenses in the event of annual sessions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1716, on second reading, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1718, on second reading, entitled:

An Act to amend Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended by modifying the rates of commission which may be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### SENATE BILL NO. 621 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President I call up from the Second Reading Postponed Calendar Senate Bill No. 621.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 621, on second reading, entitled:

An Act to further amend section 2 of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Luzerne County

be recommitted to the Committee on Highways.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### SENATE BILL NO. 892 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 892.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 892, on second reading, entitled:

An Act to add subsection (d) to section 530 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by requiring that the Flag of the United States be flown or displayed at polling places on election days

be recommitted to the Committee on State Government.

Mr. WOLFE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

REPORT FROM COMMITTEE ON  
EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

## JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Helen J. Degler, Shartlesville, Berks County, for appointment as Justice of the Peace in and for the Township of Upper Bern, Berks County, until the first Monday of January, 1954, vice Peter H. Bricker, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wallace M. Scott, 105 Vine Street, Ringtown, Schuylkill County, for appointment as Justice of the Peace in and for the Borough of Ringtown, Schuylkill County, until the first Monday of January, 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilmot C. Draper, West Springfield, Erie County, for appointment as Justice of the Peace in the Township of Springfield, Erie County, to compute from January 7,

1952 until the first Monday of January, 1954 (reappointment).

JOHN S. FINE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
MAYVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 13, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Mayview State Hospital, for the term of four years, and until their successors are qualified:

Mrs. Mary Phillips Henry, Pittsburgh, Allegheny County, from January 6, 1950.

Mrs. Josephine S. Falk, Pittsburgh, Allegheny County, from April 17, 1950.

Albert G. Kaufmann, Brentwood, Allegheny County (reappointment).

Ralph W. Peacock, Esq., Washington, Washington County (reappointment).

Hugh L. Davis, 129 Sycamore Street, Pittsburgh 11, Allegheny County, to fill a vacancy.

Dr. Daniel I. Jamison, Jr., Shadyside Hospital, Pittsburgh, Allegheny County, to fill a vacancy.

JOHN S. FINE.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

## EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported.

Which was agreed to.

A motion was made by Mr. WATSON and Mr. TAYLOR, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.



Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

SENATE RESOLUTION SERIAL No. 57 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Resolution, Serial No. 57, for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The resolution was read as follows:

DEPARTMENT OF AGRICULTURE TO MAKE A REPORT OF ABOUT THE FACTS CONCERNING BRUCELLOSIS CONTROL PROGRAM IN PENNSYLVANIA AND SUGGESTIONS AND RECOMMENDATIONS FOR IMPROVING PRESENT METHODS OF CONTROL

In the Senate, May 21, 1951.

Brucellosis (also known as Bangs disease or infectious abortion of cattle) is one of the major hazards of the cattle industry, and its prompt control is of vital importance both to the industry and to the public health.

At the present time, not quite 700,000 cattle—or less than half of the cattle population receiving surveillance under the program of control for bovine tuberculosis—have had inspections for brucellosis; and of this group, fewer than 200,000 belong to accredited herds, i.e. are completely free of the disease. On the other hand, nearly 775,000 animals have not yet been examined: half of these are on the Department of Agriculture's waiting list because its funds and facilities do not permit faster handling of the program. The equally large uncontrolled group of 400,000 cattle suggests the possible need for mandatory inspection.

This Senate recognizes the many difficulties and problems in satisfactorily and speedily carrying out a program of this scope, and type, but it nonetheless is anxious to aid in accelerating the day when all the cattle in this Commonwealth can be declared free of the disease; now therefore be it

Resolved, That the Department of Agriculture is hereby requested to make a report to the Senate before the thirty-first day of January, one thousand nine hundred fifty-three in which it shall set forth:

(1) the facts concerning the brucellosis control program in Pennsylvania; and

(2) the department's suggestions and recommendations for improving present methods of control especially from the standpoint of accelerating the time factor in such control program.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

SENATE RESOLUTION

TRIBUTE TO THE LATE WILLIAM R. SCOTT

Mr. PECHAN offered the following resolution which was read as follows:

In the Senate, December 19, 1951.

We are all shocked and saddened over the sudden passing of "Scotty," who died instantly this morning at 9:15 at his familiar post behind the Senate phone desk.

William R. Scott, who was slightly more than 68 years of age, came from Perry County to Harrisburg where he resided at 17 South 17th Street, to take up his work with the Senate over twenty-five years ago. He was originally assistant custodian of the Senate chamber and later became the custodian of the phones in the Senate.

"Scotty," as he was known to everyone, was a part

of the Senate whose passing leaves a void. His ever-present smile, his affable courteous manner, and his willingness to accommodate made him a friend of all whom he served and worked with; now therefore be it

Resolved (by the Senate), That we hereby express our deep feeling of shock and sadness in the sudden loss of our friend, William R. Scott, whose kind and faithful service to the Senate these many years we humbly and gratefully attest; and be it further

Resolved, That a copy of this resolution be sent to the family of William R. Scott in token of our sincere sympathy in their hour of bereavement.

On the question,

Will the Senate agree to the resolution?

Mr. DENT. Mr. President, in rising to second the motion for the immediate consideration and passage of this resolution, I want to express the deep sorrow of the Minority Members at the sudden death of a beloved member of the faculty, as it were, of the Senate of Pennsylvania. We will best know how much we miss this man as the years go by.

Mr. President, those of us who have been here for quite a few years remember him as an integral part of the organization or association here in the Senate. It best can be described when we think of the wanderer who has been away from home for a good many years and returns and finds that the familiar scenes of his childhood have all passed from the scene, trees have been cut, new roads laid, houses have sprung up, his friends have gone and he finds a loneliness there. So it is with those of us who have been for so many years accustomed to waving back through that door, with speed and hurry, yelling at "Scotty," "Get us this number, get us that one." We will realize then how valuable he was to us.

Mr. President, I want to assure all of the Members of the Senate that we have lost a friend and a deeply appreciated public servant.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

HOUSE BILL No. 587 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 587.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 587, entitled:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceedings pertaining thereto and reestablishing the same as separate school districts

The first, second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR on behalf of Mr. McMENAMIN offered the following amendments:

Amend Sec. 5, page 4, line 14, by striking out the word "only"; Amend Sec. 5, page 4, lines 14 and 15, by striking out the words "that part of the city which was formerly the township of the first class which was annexed to"; Amend Sec. 5, page 4, lines 17 and 18, by striking out the words "part of the city which was the township of the first class prior to its annexation to said".

On the question,

Will the Senate agree to the amendments?

Mr. WALKER. Mr. President, I ask my colleagues to vote the amendments down.

Mr. BARR. Mr. President, may we be at ease?

(The Senate was at ease.)

#### AMENDMENTS WITHDRAWN

Mr. BARR. Mr. President, I wish to withdraw these amendments with an agreement from the other side that we may offer them tomorrow with unanimous consent.

And the question recurring,

Will the Senate agree to the section?

The section was agreed to.

The sixth, seventh, eighth, nine, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 10 o'clock p. m., Eastern Standard Time.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### HOUSE MESSAGES

##### AMENDMENT TO HOUSE BILL No. 545 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, House Bill No. 545 entitled:

An Act to amend Subsection (f) of Section 302, of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," by providing that employers reserve accounts shall not be charged with compensation paid to certain employees.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on tomorrow's Calendar.

#### HOUSE BILLS FOR CONCURRENCE

He also, presented for concurrence bills of the House, as follows:

House Bill No. 565, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury.

Which was committed to the Committee on Appropriations.

House Bill No. 1308, entitled:

An Act to further amend sections two and seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "Municipal Employees Retirement Law," by further defining the term "municipality" to include joint-county departments of health, by defining the term "joint county health commission," and by providing that joint-county departments of health may join the retirement system.

Which was committed to the Committee on Local Government.

House Bill No. 1430, entitled:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids, and maintenance of civil air patrol aircraft; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1742, entitled:

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth.

Which was committed to the Committee on Finance.

##### SENATE BILL No. 27 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 27, entitled:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees including teachers and other employees of the public school system and officers and employees of State-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employees prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to State-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public officers and imposing duties on State and local appointing authorities and certain other State officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.



The PRESIDING OFFICER. The bill as amended will appears on the Calendar.

SENATE BILL No. 41 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties, by extending certain benefits heretofore granted to school employes entertaining the armed forces of the United States to certain other similar qualified school employes.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appears on the Calendar.

SENATE BILL No. 647 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 647, entitled:

An Act to further amend Section 429 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, board, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executives and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the salaries of the members of the Pennsylvania Securities Commission.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appears on the Calendar.

SENATE BILL No. 742 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 742, entitled:

An Act providing for supplementing the police forces of cities, boroughs, towns and townships, for the appointment, powers and control of auxiliary police therein, and for the transfer during disasters and emergencies of such auxiliary police, members of the regular police forces, and police equipment thereof.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appears on the Calendar.

SENATE BILL No. 769 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 769, entitled:

An Act requiring elevators and material hoists used in building construction to be safe and operated by experienced elevator operators; imposing duties upon building inspectors and providing penalties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appears on the Calendar.

SENATE BILL No. 801 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 801, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties," by permitting employes to make up back payments to the retirement system from the time they entered school service and securing to such employes the full benefits of the retirement system from the time they entered school service.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appears on the Calendar.

SENATE BILL No. 929 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1531), entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office; invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time; and imposing duties and conferring powers on recorders of deeds."

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 930 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May, one thousand nine hundred forty-nine (P. L. 1340), entitled "An act requiring political subdivisions to file copies of zoning ordinances, together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances, in the recorder's office; invalidating zoning ordinances heretofore adopted unless copies thereof, together with maps, are filed within a certain time; and imposing duties and conferring powers on recorders of deeds."

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### HOUSE CONCURS IN SENATE BILL No. 603

He also returned to the Senate, Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 867

He also returned to the Senate, Senate Bill No. 867, entitled:

An Act to add section 2315.2 to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions; and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 875

He also returned to the Senate, Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg, Pennsylvania with private capital, the solicitation of such capital, and the acceptance of such chapel by the Commonwealth.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 877

He also returned to the Senate, Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 881

He also returned to the Senate, Senate Bill No. 881, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 882

He also returned to the Senate, Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 884

He also returned to the Senate, Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the pro-



tection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," by increasing the maximum amounts of payments by the State for registered and unregistered cattle.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 899

He also returned to the Senate, Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing attendance of school directors at meetings of educational or financial advantage to the district, and providing for the payment of their expenses.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 913

He also returned to the Senate, Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for creation of the office of associate superintendent in third class districts.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 914

He also returned to the Senate, Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by imposing a penalty on school districts for employing substitute teachers where vacancies exist.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 922

He also returned to the Senate, Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies, with the approval of the Governor, to remise, quitclaim and convey to the Burgess

and Town Council of the Borough of Warren, Pennsylvania, all right, title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren; providing for the disposition of the proceeds of the sale; and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 923

He also returned to the Senate, Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 350), entitled "A supplement to the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties," by making certain editorial changes.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 937

He also returned to the Senate, Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by further providing for refusal to issue and revocation of licenses.

with the information that the House has passed the same without amendments.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Finance.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### REPORT FROM COMMITTEE

Mr. PEELOR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PEELOR, from the Committee on Finance, reported as committed, House Bill No. 1742, entitled:

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 862

Mr. WAGNER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1641

Mr. WAGNER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### HOUSE MESSAGE

#### HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 106, entitled:

An Act creating the Commission on Organization of the Executive Branch of the Government, providing for the membership of such Commission, prescribing its powers and duties and making an appropriation.

Which was committed to the Committee on State Government.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### BILLS SIGNED

The President pro tempore M. Harvey Taylor announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 333, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for the payment of minimum salaries and increments for county and district superintendents, assistant county and district superintendents, teachers, supervisors, principals, supervising principals and other employees.

House Bill No. 334, entitled:

An Act to amend subsections 5 and 6 of section two thousand five hundred one and section two thousand five hundred two of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for reimbursement by the Commonwealth to school districts and vocational school districts.

Whereupon,

The President pro tempore M. Harvey Taylor in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### REPORTS FROM COMMITTEES

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 1308, entitled:

An Act to further amend section two and seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "Municipal Employees Retirement Law," by further defining the term "municipality" to include joint-county departments of health, by defining the term "joint county health commission," and by providing that joint-county departments of health may join the retirement system.

Mr. MALLERY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MALLERY, from the Committee on Judiciary General, reported as committed, House Bill No. 1500, entitled:

An Act to repeal Section 1 of the act, approved the first day of May, A.D. one thousand nine hundred thirteen (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection, construction and alteration of public buildings," as to State Authorities.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1308, entitled:

An Act to further amend sections two and seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "Municipal Employees Retirement Law," by further defining the term "municipality" to include joint-county departments of



health, by defining the term "joint county health commission," and by providing that joint-county departments of health may join the retirement system.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1500, entitled:

An Act to repeal Section 1 of the act, approved the first day of May, A.D. one thousand nine hundred thirteen (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection, construction and alteration of public buildings," as to State Authorities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1500, the bill just read, be recommitted to the Committee on Judiciary General for the purpose of further amendment.

Mr. KEPHART. Mr. President, I second the motion.  
The motion was agreed to.

### BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1742, entitled:

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 1130 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, December 20, 1951, at 2 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Thursday, December 20, 1951, at 2 o'clock p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, December 19, 1951

The House met at 12:00 o'clock noon.

The SPEAKER (Herbert P. Sorg) in the Chair

### PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, the giver of all good things; give us grace to be just and upright in all our dealings, quiet and peaceable; full of compassion; and ready to do good to all men, according to our abilities and opportunities. Direct us in all our works. Defend us from all dangers and adversities, and be graciously pleased to take us, under Thy fatherly care and protection, through Jesus Christ our Lord. Amen

### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday December 18, 1951? If not, and without objection, the Journal is approved.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

#### SENATE BILL No. 431

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor.

Referred to the Committee on Welfare.

#### SENATE BILL No. 871

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

Referred to the Committee on Elections and Apportionment.

### SENATE MESSAGE

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 789

The Clerk of the Senate being introduced, informed that the Senate does not adopt the report of the Committee or Conference on the subject of the differences existing between the two Houses on Senate Bill No. 789 entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### HOUSE BILL NO. 1206

An Act to further amend the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" by further defining "final salary" authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### MR. HELM IN THE CHAIR

#### RESOLUTION

#### CONGRATULATIONS

Mr. SMITH. Mr. Speaker, there is an old axiom that goes "Some good comes out of everything." All of us know we have had an exceptionally long session, in fact a history making session.

Not only has a lot of good legislation come out of this session, but the opportunity has been offered to many of us to wish personal things to a lot of our friends.

Several months ago we had the opportunity to say "happy birthday" to the Minority Leader, something that in all the many years he has been here he never expected.

Today, in the month of December we have the chance to wish the same "happy birthday" to one who I think is one of the most esteemed, best thought of, well liked and lovable Members of this House. Today, . . . and I will be very informal when I say this—is Herb Sorg's birthday. He never expected to be here in December, and it probably will never happen again.

Mr. Speaker, if I must be formal, we wish to you the very best we can. You deserve the best, sincerely from our hearts, and we mean it. I offer the following resolution.

Messrs. SMITH and ANDREWS offered a resolution which was read, considered and unaimously adopted by a rising vote as follows:

In the House of Representatives, December 19, 1951.

Not too many years ago the gray skies of December opened and dropped upon the sterile earth a swaddling bundle that was destined to become a shining page in the legislative history of Pennsylvania. For, none other than our revered leader, Herb Sorg, was the priceless content of that bundle. He came as a pre-Christmas gift of infant joy to his grateful parents. And he has remained for all of us in Pennsylvania a symbol of civic courage and progressiveness, and a dynamic exponent of just, beneficent, and forthright government.

The plaintive wail of the tiny child of yesteryear has developed and matured into the stentorian voice that guides the activities and lifts the spirit of a tired legislative forum—groping and struggling and fumbling its way to an elusive adjournment.

Anniversaries may sometimes be suppressed, but they are always inevitable. Relentless time marches on and significant events should be memorialized; therefore be it

Resolved, That this House of Representatives is extremely happy to felicitate its beloved Speaker on his fortieth birthday anniversary. This House is aware that the present session has made unusual demands upon his time and patience and resourcefulness and is proud, indeed, that his performance has far exceeded every criterion of excellence.

The members of this House, individually and collectively, extend their heartiest greetings to the Honorable Herbert P. Sorg along with their sincerest wishes that his zealous interest in the public weal and his constructive endeavors in behalf of this State shall continue for many years to come.

#### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I know of no way in which we could contribute to the personal happiness of the Speaker than to so arrange our proceedings that it will be possible for us to depart in good fashion, in orderly manner, from the Halls of this House, beginning Thursday evening and continuing through Friday with all of us safe at home come Saturday next.

As the Speaker and the Members of this House well realize, minority party policy and procedure is necessarily determined to a very large degree by majority party policy and procedure. In order that time saving agreements may be arrived at, it is necessary that the minority party leadership be acquainted with the disposition of the majority party caucus regarding matters of possible controversy. As you can well see, minority party policy is absolutely dependent upon the decisions arrived at in majority party caucuses.

If we are looking forward to an era of agreement and are suddenly confronted with an unnecessary battle inspired solely by partisan considerations, we have no alternative, we must accept such an issue and maintain our position by means of all the expedients proper to us within the framework of parliamentary law.

Now, there are a number of issues concerning which we seek agreement, concerning which we are prepared, I believe, to vote as a unit upon this side of the House.



We have no disposition to rekindle the fires that made possible the Philadelphia story episode in the Senate.

You are about to pass upon a reapportionment bill, Members of the House, that comes to you stamped as a non-partisan decision if a non-partisan decision was ever arrived at in this General Assembly, a reapportionment bill that was opposed by only one Democrat in the Senate, and opposed by only two Republicans in the Senate, a reapportionment bill that I believe I can assure you will not be the cause of time-delaying controversy, if in your wisdom you submit it to the membership of this House on the non-partisan basis upon which it comes to you from the Senate.

### STUDENTS OF READING HIGH SCHOOL WELCOME

The SPEAKER pro tempore. The Chair is pleased to welcome to the House a group of seventy-five students of Reading High School, members of the class on Problems of Democracy, under the supervision of their instructor, Mr. Norman C. Brillhart. They are the guests of the gentleman from Berks, Messrs. Readinger and Kubacki.

THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

The SPEAKER. The Chair is very grateful to the Majority and Minority Leaders, and to all Members of the House for this wonderful resolution, as well as for all of the many, many courtesies extended to the Chair throughout this session.

### ANNOUNCEMENT

The SPEAKER. There will be a very important Republican Caucus immediately in the new House Caucus Room.

Does the Minority Leader contemplate a Democratic Caucus?

Mr. ANDREWS. Mr. Speaker, our caucus will be wholly dependent upon the good tidings which will be forthcoming from the Republican caucus.

The SPEAKER. The Chair sincerely hopes that the tidings will be good.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 3:00 o'clock. The Chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. BOWER asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

Mr. HAUDENSHIELD asked and obtained permission for the Committee on Welfare to meet during the session of the House.

### REPORT FROM COMMITTEE

Mr. BOWER from the Committee on Elections and

Apportionment, reported as committed, Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, 1951, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 162, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 162, entitled:

An Act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amending creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 344, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 455, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute of Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefor for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1604, entitled:

An Act prohibiting the use of diesel powered locomotives pumps or other machinery or other locomotives pumps or machinery powered by internal combustion engines or motors in coal mines.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HEWITT offered the following amendments:

Amend Section 1, page 1, line 1, by striking out at the end of the line after the word "of" the following: "any diesel powered locomotive pump or."

Amend Section 1, page 1, line 2, by striking out at the beginning of the line before the word "machinery" the following: "other machinery or any other locomotive pumps or."

Amend Section 1, page 1, line 3, by striking out after the word "by" and before the word "internal" the following: "any" and inserting in lieu thereof the following: "an."

Amend Section 1, page 1, line 4, by inserting at the end of the line after the word "prohibited" the following: Provided That the Secretary of Mines may if he is

satisfied that it will not be injurious to the health or safety of the employees authorize the use of diesel powered machinery under such reasonable general or special rules and regulations as he may from time to time promulgate.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HEWITT offered the following amendments:

Amend Section 2, page 2, line 2, by inserting after the word "act" and before the word "shall" the following: "or any general or special rule or regulation promulgated by the Secretary of Mines under the authority of this act."

Amend Section 2, page 2, line 3, by striking out after the word "conviction" and before the word "before" the following: "thereof."

Amend Section 2, page 2, line 4, by striking out after the word "of" and before the word "one" the following: "not more than."

Amend Section 2, page 2, line 5, by striking out after the syllable "tion" and before the word "to" the following: "or" and inserting in lieu thereof the following: "and in default of the payment thereof sentenced."

Amend Section 2, page 2, line 5, by striking out after the word "for" and before the word "fifteen" the following: "not more than."

Amend Section 2, page 2, by striking out line 6.

Amend Section 2, page 2, line 8, by inserting after the word "act" and before the word "shall" the following: "or any general or special rule or regulation promulgated by the Secretary of Mines" under the authority of this act."

Amend Section 2, page 2 by inserting after line 8 a new paragraph to read as follows: "All fines imposed pursuant to this act shall be paid to the Commonwealth through the Department of Revenue."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. HEWITT offered the following amendments:

Amend page 1, line 1 of the title, by striking out at the beginning of the line before the word "the" the following: "Prohibiting" and inserting in lieu thereof the following: "Regulating."

Amend page 1, line 1 of the title, by striking out at the end of the line after the word "of" the following: "diesel powered locomotives pumps or other."

Amend page 1, line 2 of the title, by striking out at the beginning of the line before the word "machinery" the following "machinery or other locomotives pumps or."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 61, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 258, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration Senate Bill No. 283, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 284, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration Senate Bill No. 286, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 399, entitled:

An Act to amend Section 11.1 of the act approved the twenty-seventh day of June on thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employe and a member of the Public School Employees' Retirement Association

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 400, entitled:

An Act to amend Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employe and becomes a State employe and a member of the State Employees' Retirement Association

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 405, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital and making an appropriation therefor

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yoemen (female) and nurses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 551, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire-panies of the City of Harrisburg Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 577, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 579, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 652, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing



credit for retirement purposes for out-of-state service in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 667, entitled:

An Act to amend subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" by increasing the compensation of the members of board

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 685, entitled:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (Appropriation Acts page 49) entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto" by extending the purpose of the appropriation to cover all flood damage

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 731, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain moral claims providing for the hearing adjustment and payment of moral claims to members of the Workmen's Compensation Board and referees suffered as a result of delay in confirmation of appointments made by Governor to such offices

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 778, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire certain tracts of land for the use of the Harrisburg State Hospital and making an appropriation therefor

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeable to order,

The House proceeded to the second reading and consideration of Senate Bill No. 798, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds for contribution by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time within which State mental hospital employees may become members and within which State employees may become "original members" and permitting additional persons to change from the one one-hundred-sixtieth (1/160) to the one one-hundredth (1/100) class and providing for obtaining full benefits by contributions heretofore or hereafter making such change

The first section was read.

On the question,

Will the House agree to the Section?

Mr. HELM offered the following amendment:

Amend Section 1, Clause (6), page 4, line 13, by inserting after the word "funds" and before the word "and" the following: "also all employees of any single county department of health or any joint county department of health created under the Local Health Administration Law, being Act No. 315, approved August 24, 1951, paid on a yearly or monthly basis,"

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. HELM offered the following amendment:

Amend Title, page 2, line 4, by inserting after the word "by" and before the word "extending" the following: "by defining employes of county departments of health created under the Local Health Administration Law as State employes."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeable to order,

The House proceeded to the second reading and consideration of Senate Bill No. 800, entitled

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowance returns benefits and rights from taxation and judicial process and providing penalties" by providing for minimum retirement allowances in certain cases and appropriations for payment of the costs thereof

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeable to order,

The House proceeded to the second reading and consideration of Senate Bill No. 811, entitled

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganizing of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police

And said bill, having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 825, entitled

An Act making an appropriation to the State Planning Board for the purpose of aiding local government agencies in solving certain regional planning problems

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 872, entitled

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulating and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection,

Senate Bill No. 885, Printers No. 625,

Senate Bill No. 897, Printer's No. 695 and

Senate Bill No. 925, Printer's No. 682,

were passed over at the request of the SPEAKER.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

#### BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 545, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on pay-rolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further providing for determination of the compensation to be paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of Section 404 of the act approved



the fifth day of December one thousand nine hundred thirty-six (1937 (P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (Act No. 408) is hereby further amended to read as follows

Section 404 Rate and amount of compensation Compensation shall be paid to each eligible employe in accordance with the following provisions of this section except that compensation payable with respect to weeks ending in benefit years which begin prior to the first day of October one thousand nine hundred fifty-one shall be paid on the basis of the provisions of this section in effect at the beginning of such benefit years

(d) Notwithstanding any other provisions of this section each eligible employe who is unemployed with respect to any week ending subsequent to the effective date of this act shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less [(1)] that part of the remuneration if any paid or payable to him with respect to such week which is in excess of five dollars (\$5.00) [and (2) the amount of any pension or retirement payment paid or payable to him with respect to such week from any fund annuity or insurance which is financed in whole or in part by payments or premiums paid by a base year employer] such compensation if not a multiple of one dollar (\$1.00) shall be computed to the next higher multiple of one dollar (\$1.00) provided that if at the end of any calendar quarter the balance in the unemployment trust fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employe for a week of unemployment ending during the next calendar quarter shall not be in excess of twenty dollars (\$20.00)

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply with respect to all claim weeks ending subsequent to the first day of October one thousand nine hundred fifty-one

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Greenwood,	Maxwell,	Rovansek,
Andrews,	Greer,	Mazza,	Royer,
Banker,	Guarnieri,	McConnell,	Rubin,
Baumunk,	Gutendorf,	McCormack,	Sarraf,
Barkdoll,	Guthrie,	McCullough,	Sax,
Bear,	Hagerty,	McDermitt,	Scanlon,
Beaver,	Hall,	McGee,	Schmidt,
Beech,	Hamilton, R. K.,	McInroy,	Schuster,
Berkstresser,	Hamilton, W. H.,	McKinney,	Scott,
Blair,	Harney,	McMillen,	Seyler,
Bloom,	Haudenschild,	McNally,	Shoemaker,
Boles,	Headlee,	Metz,	Shotwell,
Bolton,	Helm,	Mihm,	Sollenberger,
Bomberger,	Hersch,	Mikula,	Smith,
Bower,	Hewitt,	Miller, H. G.,	Snider,
Breisch,	Hocker,	Miller, J. C.,	Spencer,
Breth,	Hoggard,	Mills,	Stank,
Brown,	Goodling,	Mintess,	Stimmel,

Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, F. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBols,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Waterhouse,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Wood,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Graybill,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of Senate Bill No. 27, as follows:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public office and employes including teachers and other employes of the public school system and officers and employes of State-aided institutions of learning requiring oaths or affirmations by applicants for public office or employment and by present appointed officers and employes prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to State-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on State and local appointing authorities and certain other State officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Loyalty Act"

Section 2 Definitions For the purposes of this act

"Organization" means an organization corporation company partnership association trust foundation fund club society committee political party or any group of persons whether or not incorporated permanently or temporarily associated together for joint action or advancement of views on any subject or subjects

"Subversive Organization" means any organization which engages in or advocates abets advises or teaches or a purpose of which is to engage in or advocate abet advise or teach activities intended to overthrow destroy or alter or to assist in the overthrow destruction or alteration of the constitutional form of the government of the United States or of the Commonwealth of Pennsylvania or of any



political subdivision of either of them by force or violence

"Subversive person" means any person who commits attempts to commit or aids in the commission of advocates abets advises or teaches by any means any person to commit attempt to commit or aid in the commission of any act intended to overthrow destroy alter or to assist in the overthrow destruction or alteration of the constitutional form of government of the United States or of the Commonwealth of Pennsylvania or any political subdivision of either of them by force or violence or who is knowingly a member of a subversive organization or a foreign subversive organization as defined in this act

"Appointing authority" means any person department Board commission or other agency of the Commonwealth or of any political subdivision thereof who appoints or employs officers or employees

Section 3 Ineligibility for employment or appointment to office no subversive person as defined in this act nor any person as to whom on all the evidence there is reasonable doubt concerning his loyalty to the Government of the United States or the Commonwealth of Pennsylvania shall be eligible for employment in or appointment to any office or any position of trust or profit in the Government of or in the administration of the business of this Commonwealth or of any school district county municipality or other political subdivision of this Commonwealth

Section 4 Procedure in appointments statement and oath of applicants every appointing authority shall establish by rules regulations or otherwise procedures designed to ascertain before any person including teachers and other employees of the Public school system is appointed of employed that he is not a subversive person and that there is no reasonable doubt on all the evidence as to the loyalty of the person involved to the government of the United States of the Commonwealth of Pennsylvania in the event the applicant is deemed to be a subversive person or in the event reasonable doubt as to loyalty exists he shall not be appointed or employed in addition each applicant shall be required to make a written statement under oath or affirmation which statement shall contain notice that it is subject to the penalties of perjury and shall be in the following form

"I.....Do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of .....with fidelity

"And I do further swear (or affirm) that I do not advocate nor am I knowingly a member of any organization that advocates the overthrow of the Government of the United States or of this Commonwealth by force or violence or other unconstitutional means or seeking by force or violence to deny other persons their rights under the Constitution of the United States or of this Commonwealth

"And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Commonwealth of Pennsylvania (or political subdivision thereof)"

Section 5 Present employees oath discharge the appointing authority of each person including teachers and other employees of the public school system who on the first day of march one thousand nine hundred fifty-two shall be in the employ of the Commonwealth of Pennsylvania or of any of its political subdivisions other than those holding state or local elective offices of any kind shall require such person to and every such person shall on or before the first day of April one thousand nine hundred fifty-two make a written statement under oath or affirmation which statement shall contain notice that it is subject to the penalties of perjury and shall be in the following form

"I.....do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of .....with fidelity

"And I do further swear (or affirm) that I do not advocate nor am I knowingly a member of any organization that advocates the overthrow of the Government of the United States or of this Commonwealth by force or violence or other unconstitutional means or seeking by force or violence to deny other persons their rights under the Constitution of the United States or of this Commonwealth

"And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Commonwealth of Pennsylvania (or political subdivision thereof)"

Any person failing or refusing to execute either statement required hereby shall be discharged immediately by the proper appointing authority

Section 6 Investigations any appointing authority may at any time upon written complaint investigate any person including teachers and other employees of the public school system appointed or employed by him to determine whether he is a subversive person if upon any investigation it appears that such person is a subversive person the person shall immediately be privately and confidentially notified of the recommendation by the appointing authority no public announcement release statement or comment concerning the investigation recommendation or notification shall be made by the appointing authority in any way whatsoever unless and until the person so notified is discharged under section seven of the act

Section 7 Hearing before appointing authority any person including teachers and other employees of the public school system who has been so notified under this act shall have a right to a hearing before the proper appointing authority within thirty (30) days after receiving said notification if no hearing is requested within thirty (30) days after said notification is received the person shall immediately be discharged by the appointing authority he may appear before such appointing authority personally accompanied by counsel or representative of his own choosing and present evidence on his own behalf through witnesses the person who has been so notified shall at the same time be further informed in writing of such hearing at least ten days before the day set for the hearing and shall be informed therein of the nature of the charges against him and the person who has so notified shall be informed in the notice (1) of his right to reply to such charges in writing within ten days after the date of service (2) of his right to a hearing on such charges before the appointing authority which hearing may be private and confidential or may be public at the option of the person so notified and (3) of his right to appear before such appointing authority personally to be accompanied by counsel or representatives of his own choosing and to present evidence on his own behalf through witnesses if after due hearing it is determined by the appointing authority by a fair preponderance of the evidence that the person who has been so notified is a subversion person as defined in this act the person who has been so notified shall be discharged otherwise the recommendation shall be ignored said determination shall be made within sixty (60) days after the hearing if the appointing authority shall be comprised of three or more members a vote of two-thirds of the members shall be necessary in order to discharge a person

Section 8 Standards (a) the standard for the refusal of employment on grounds relating to loyalty shall be that on all the evidence there is a reasonable doubt as to the loyalty of the person involved to the Government of the United States or the Commonwealth of Pennsylvania

(b) Activities and associations of an applicant which may be considered in connection with the determination of ineligibility may include but shall not be limited to one or more of the following

(1) Sabotage espionage or attempts or preparations therefor or knowingly associating with spies or saboteurs

(2) Treason or sedition or advocacy thereof

(3) Advocacy of revolution or force or violence to alter the constitutional form of Government of the United States of the Commonwealth of Pennsylvania



(4) Intentional unauthorized disclosure to any person under circumstances which may indicate disloyalty to the United States or the Commonwealth of Pennsylvania of documents or information of a confidential or non-public character obtained by the person making the disclosure as a result of his employment by the Commonwealth of Pennsylvania of any political subdivision

Section 9 Appeals to the civil service commission after a final determination of discharge under this act by an appointing authority any person other than teachers and other employees of the public school system in the employ of the Commonwealth or of any political subdivision who believes himself aggrieved by the determination may appeal from the determination by an application in writing to the civil service commission of the Commonwealth within twenty days after receiving written notice of the determination the commission shall set a time and place for hearing the appeal on the record which hearing shall not be more than thirty (30) days after receipt thereof and give due notice of said hearing to the appellant and to the appointing authority whose determination is under review the hearing shall be held by the commission or by a person or persons not exceeding three designated by the commission in writing to hear the appeal in its behalf the commission in its discretion may designate such person or persons to hear the appeal and to report to the commission the report shall be acted upon by the entire commission the persons so designated by the commission may be officers of employees of the civil service of the Commonwealth the person or persons holding the hearing may make such inquiry as may be deemed advisable within sixty (60) days after the hearing on appeal the commission shall affirm or reverse the findings and determination under review and in the case of reversal shall order the reinstatement of the appellant who shall be entitled to back pay from the date of his discharge for the purposes of the section officers and employees of the department of public instruction or of any of its departmental administrative boards or commissions shall not be construed to be employees of the public school system they shall be entitled to appeal to the civil service commission as provided herein

Section 10 Appeals to the superintendent of public instruction after a final determination of discharge under this act by an appointing authority any teacher or other person employed in the public school system of the Commonwealth who believes himself aggrieved by such determination may appeal on the record from the determination by an application in writing to the superintendent of public instruction of the Commonwealth within twenty days after receiving written notice of such determination the superintendent shall set a time and place for the hearing of the appeal which hearing shall be not more than thirty (30) days after receipt thereof and give due notice of said hearing to the appellant and to the appointing authority whose determination is under review the hearing shall be held by the superintendent or by a person or persons not exceeding three designated by the superintendent in writing to hear the appeal in his behalf the superintendent in his discretion may designate such person or persons to hear such appeal and to report to him the person so designated by the superintendent may be officers of employees of the civil service of the Commonwealth the person or persons holding the hearing may make such inquiry as may be deemed advisable within sixty (60) days after the hearing on appeal the superintendent shall affirm or reverse the findings and determination under review and in the case of reversal shall order the reinstatement of the appellant who shall be entitled to back pay from the date of his discharge

Section 11 Evidence in proceedings taken pursuant to this act evidence shall be restricted by the rules of evidence and procedure prevailing in the courts all testimony shall be given under oath of affirmation and the right of subpoena shall be accorded to either the appointing authority or the person so notified any judge of a court of record either in term time or in vacation shall upon proper application of the appointing authority or person so notified compel the attendance of witnesses

the production of books and papers and the giving of testimony before the appointing authority by attachment for contempt of otherwise in the same manner as the production of evidence may be compelled before such court reasonable examination and cross-examination shall be permitted

Section 12 Appeals to court (a) the decision of the civil service commission or the superintendent of public instruction shall be final unless within thirty (30) days after receipt by registered mail of written notice of the decision or order of the civil service commission or the superintendent of public instruction an appeal which may be taken by either party is taken therefrom to the court of common pleas of the county in which the proper appointing authority is located a copy of such appeal shall be filed in writing in the office of the prothonotary and a copy shall be served on the civil service commission or the superintendent of public instruction either by filing it in the office of the civil service commission of the superintendent of public instruction or by delivering the same to the civil service commission or the superintendent of public instruction

(b) When appeal is taken from the decision of the civil service commission of the superintendent of public instruction to the court of common pleas the judge of the court of common pleas to whom such petition is presented shall fix a date for hearing by the court which shall be not sooner than ten (10) days nor more than twenty (20) days after the presentation of such petition if the employee aggrieved shall so request in his petition such hearing shall be de novo upon the hearing of said petition the court shall make whatever order it considers just either affirming or reversing the action of the civil service commission or the superintendent of public instruction and stating plainly whether the employee is to be discharged

Section 13 State-aided institutions of learning no appropriation of public funds made after the first day of may one thousand nine hundred fifty-two of any character shall be paid by the Commonwealth to any State-aided institution of learning not a part of the public school system unless there shall be filed annually on or before the first day of September with the Governor (with copies furnished to the president of the senate and to the speaker of the House of Representatives) on behalf of the institution a written report setting forth what procedures the institution has adopted to determine whether it has reason to believe that any subversive persons are in its employ and what steps if any have been or are being taken to terminate such employment the report also shall unequivocally set forth that the institution has no reason to believe any subversive persons are in its employ if the report shall be approved by the governor he shall notify the auditor general and the State treasurer that the provisions of this section have been complied with

Section 14 Candidates for elective offices no person shall become a candidate for election under the provisions of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 133) known as the "Pennsylvania Election Code" and its amendments to any state district county or local public office whatsoever in this Commonwealth unless he shall file with his nomination petition nomination papers or nomination certificate a statement under oath or affirmation that he is not a subversive person as defined in this act which statement shall contain notice that it is subject to the penalties of perjury no nomination petition nomination paper or nomination certificate shall be received for filing by any county board of elections or by the secretary of the Commonwealth unless accompanied by the statement required hereby nor shall the name of any person who has failed or refused to make the statement be printed on any ballot or ballot label to be used at any general municipal primary or special election

Section 15 Effect and applicability of act (a) the provisions of this act shall not affect the right to discharge any person for any cause other than those provided for by this act or without cause under existing law no procedure provided by any existing tenure or civil service law shall be applicable in any proceeding under this act



(b) The provisions of this act shall not apply to exchange teachers who are citizens or subjects of a foreign government and whose appointments to teach in the public school system of the Commonwealth of Pennsylvania have been approved by the superintendent of public instruction.

Section 16 Specific repeals the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 530) entitled "An act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of the public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases" is hereby repealed.

Section 1122 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" and its amendment is hereby repealed insofar as it authorizes termination of the contract of a professional employee for advocating or participating in un-american or subversive doctrines.

Section 17 the provisions of this act shall become effective on the first day of March one thousand nine hundred fifty-two.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, we now have before us the eleventh edition of Senate Bill 27. I hope most of the Members have read it since it was printed yesterday, so that they will be convinced that the things Mr. Robertson and I have to say about what is in this bill are true.

I have no desire to comment at any great length on the bill again today, as I have fully stated my thoughts concerning it in the last several weeks. However, since yesterday I have received various communications from people in the state who are interested in the bill. One of them was written by a person in Philadelphia—I cannot determine whether it is a man or a woman and I cannot make out the signature—but at any rate this person in the letter said that she was the mother, we will assume it is a woman, of children going to school, and she stated that if the bill passes, all her children will be taught will be reading, writing and arithmetic. In other words, she was trying to convey to me the idea that this bill as it now stands before us would be a means of controlling thought on the part of teachers; it would curb their freedom of thought and their freedom of expression in teaching the children.

I mention this only for the reason that I do not think that is true in any way, shape or form. Unless I do not know anything about this bill, it is my opinion that there is nothing in it which is going to control or could be used to control the thoughts of our teachers.

To many a person on the street who does not give much thought to this subject when someone mentions a fear about thought control, the average person thinks it is simply the use of some highfaluting words. But there has been in the history of this bill some very serious doubt as to whether or not it could not be used for thought control. I think the way the bill stood at one time it could have been used that way, because many a

teacher who does a lot of thinking will assume and try to impart to his or her pupils the benefit of that thinking, but would in many instances remain silent if the matter the teacher desired to teach was highly controversial, would remain silent for fear that some superior officers would consider those words or those teachings subversive.

There is nothing in this bill any more which will prevent a teacher from teaching anything he or she honestly believes to be the truth and the things that should be taught.

I am going to vote for the bill today as you probably have surmised, but I would like the record to indicate that I am not voting for it because I think it is necessary in order to have good government in Pennsylvania and in order to root out any subversives. I simply do not believe the bill is necessary. However, I think some good will come from it and I am certainly not going to oppose the idea of those who think that all governmental employees should take such an oath. They are entitled to that opinion, and in the opinion of many of them this bill is an absolute necessity. I think all of us who want to vote for this bill can do so even though we think there is no need for it. There are plenty of laws on our books to get at subversive persons, and there should be such laws on our books, because if we ever find any of them, we want to punish them in some way and remove them from a place where they can do us any harm.

There is a great deal of opposition to this particular bill even in its present form on the part of those who believe that they should never be required to take an oath of this kind. You either believe that and take that position, or you do not take it. There will probably be some teachers, and perhaps some good ones, who will refuse to take this oath if this becomes law and will have to be discharged. I hope that does not happen, but if it does, it will happen and I suppose we will go on in the state of Pennsylvania and continue to function as before. I sympathize with people who will in the future not find themselves able to take this oath. I do not like to think that they might be taken out of a job they have had for years; perhaps they have served their Commonwealth or their city, or school district very well; but they will not be able to bring their thoughts to a point where they can take this oath. I say I sympathize with them because it is unfortunate when it does happen.

So, I leave you with the fundamental thought, as I have said so often before, that in my opinion there is nothing in this bill any more which is going to be used or could be used as a weapon or as a means of unjustly treating any employee.

Mr. ANDREWS. Mr. Speaker, I want to call attention to some of the reasons why this bill encountered the opposition that it did. I also want to compliment those who have sponsored this bill within the confines of this House.

It is solely by reason of what I would term improper activities upon the part of those outside of this Chamber that this bill was for a time diverted from its original purpose. This bill started out as a loyalty oath bill. It did not start out as any proposition to constitute the teachers of this Commonwealth as members of a suspect brigade. It did not start out as a teacher persecution measure. It has never been presented to the House in that aspect.

However, the purposes of some of those who have



enlarged the scope of this bill and who have operated outside the control of this House was probably stated by the Dames of the Loyal Legion when they said in a public statement:

"The direction of public education in the United States of America has been captured"—note the word captured—"by an aggressive minority group bent on changing our social order, that is substituting the doctrine of collectivism, dominance of an all powerful state for the underlying principles of self rule by the citizens as provided in the Federal Constitution."

That statement was taken up by various organizations chief of which was the National American Flag Committee, which pointed out in a communication the Members of this House have probably received, that those educators who supported the program of the United Nations were actually subversive, because it was alleged they were selling America sovereignty down the river. In their circular they pointed out that any educator who supported the program of the United Nations was a proper person to watch.

There we have the entrance into the situation of the groups which had in mind thought control. These groups overlooked the fact that a teacher is both an educator and a citizen, and they would deny to the teacher the rights of the citizen.

It happens that I never had any patience with the United Nations myself. I do not believe in it—I never supported it; I always thought it would prove to be a "bust"—a broken reed that would pierce our side; but I do recognize the fact that very devoted people have supported the United Nations and will continue to do so and that they should not be arraigned in any form because they so believe.

I have another document in my hands, put out by veteran sources, that states that the purpose of this bill is to separate Americans from Un-Americans. I have another document in my hands, put out under veteran auspices that the only people who were opposed to this bill were the pinks—the parlor pinks, the fellow travelers and the commies.

That was the doctrine which was carried over the state. And that was the reason for the fact that little by little influences outside of this Chamber close in on the teachers and wrote a bill that would extend legal rights to a tavern keeper which were denied the teacher, and very properly. When we came to the day of the show-down those sponsoring Senate Bill 27 removed a great many of those subtle and insidious attacks upon the teachers from the bill. But all over the state that was the message carried, that our teachers, the public school teachers, at the local level were potentially subversive, and that the way they thought as private citizens should be used against them as teachers.

Now I believe that the bill as it stands is a measure in which the faulty, obnoxious features have been almost entirely removed. I do not believe that the teachers of this Commonwealth, first of all are potentially subversive. As I know teachers, instead of mingling too much in the affairs of the nation, they mingle too little. However, the bill is a better bill, and the very fact that it has been amended and its iniquities removed justifies the contention that the bill become progressively worse until the attention of the House and the attention of the advocates of

the bill were directed to its iniquities, and I commend them upon their cooperation in removing those iniquities.

Mr. SEYLER. Mr. Speaker, I would like to begin by saying that I want to heartily agree with the two gentlemen who have just spoken in the gist of their statements, namely, the bill that we are going to vote on today is a much better bill than the Pechan bill that we considered a week ago, or before that.

As a matter of fact I consider that a victory has been won in attaining the present form of the bill by the various forces who have been opposing many of the features of it.

I feel that at this time there is a feeling of considerable complacency on the part of this House that a bill has been arrived at, which is a good bill and can be supported by men of good will. I am sorry to even make a small contribution to disturbing that complacency, but there are some of us who do not agree with that opinion. We believe that it is a much better bill. We believe that it is a bill that will do less harm; there is less possibility of innocent people suffering, but we still are in opposition to the bill. I think that some statement of our reasons for thinking so is appropriate at this time and is deserved by the Members of this House.

I would call your attention to last Saturday. You may not have noticed it, but last Saturday was the day set aside as Bill of Rights Day. I believe we have here a bill which anybody who stopped last Saturday to think about the Bill of Rights and its meaning, will feel that it is not a bill which can be commended as a bill which should be passed by any American legislative body.

It is a bill that follows more in the tradition of Joseph Stalin, and Adolph Hitler, than Thomas Jefferson and Abraham Lincoln.

This is a statement that needs some justification, and I would call the attention of the Members of this House to the pages of history. I would like to tell you something about the history of test oaths.

There are "oaths" and "oaths;" there are positive oaths of a loyalty. On the other hand, there are test oaths, a test oath being an oath which contains a threat that if anyone does not subscribe to it they are barred from public position and public employment.

This may have a very ancient ancestry. The first record I can find of it in the Anglo-Saxon tradition is back in England. It appeared then in the form of a religious test oath. England as you know became one of the earliest Protestant countries in Europe. In 1673 under the reign of Charles II the people of England were concerned about their situation in their national affairs. At that time it had a religious basis, not a political one.

Spain and France were of course Catholic countries. The Vatican seemed to England the dangerous enemy. So the English Parliament passed what they called the test act, which said that any person in order to hold public employment under the English crown, had to subscribe to an oath in which they made oath or affirmed that they were not members of the organization which was considered then by the people of England to be their enemy, namely, the Catholic Church.

Although that was setup to affect only the members of that church which was considered the dangerous enemy of England safety at that time, it soon involved other



groups. It involved the Quakers, it involved the Puritans, it involved finally any non-conformist group in a religious way, because then the issue, the ideology, that was dangerous was a religious one. Today it is a political one.

That is the reason why when the various commonwealths, including the Commonwealth of Pennsylvania, were setup in America, their constitutions almost universally contained a provision that there shall be no religious test.

If you were to try to pass a loyalty oath involving a religious subject today you would find a specific bar. Why don't we have a specific bar against the test oath on a political basis? The reason is that at that time the religious test was the thing, the religious menace was the ideology that they were afraid of.

The constitutions of the various States and Commonwealths contain a provision barring a religious test.

When we come down into American history we find that the present period of fear and hysteria in which we find ourselves today is not a new thing either.

I would refer you to the Salem Witchcraft trials; when people were convinced that their personal lives and the welfare of the Commonwealth of Massachusetts was menaced by supernatural powers and they had trials which were mockeries, and many innocent people were convicted and suffered unjustly.

I would refer you to the early period of the founding of our Government, when the revolutionary nation was France, where people were sure that the Jacobites were going to move in and all the governments of the world were going to be upset. They passed alien and sedition laws and many people were unjustly punished and suffered injustices under those acts.

Then we come down to the "Know Nothing" days when there was a revival of religious intolerance. And "Know Nothing" laws were passed by many of the states which took away from the members of the Catholic faith some of their rights as citizens, because that was then the menace.

Then I would refer you to the Civil War and the period immediately after it when the Copperheads, (Northerners), who were opposed to the war, were given unfair trials and many of them were persecuted. Jeremiah Black, one of the greatest jurists of Pennsylvania and a citizen of the city from which I come, was the outstanding defender of people who were unjustly and innocently punished at that time.

Then I would refer you to the Hay Market trials where a group of men, because they were radicals, were punished unjustly for a crime which was never proved and which they never committed.

Along that line of other various labor persecutions were men because they were leaders in the labor movement, which at that time was a highly subversive thing, were persecuted.

Then I would come down to the period after World War I when we had the case in New York where elected members of the New York Legislature were not seated because they were members of the Socialist Party because that was the proscribed party at that time. I would refer you to the Sacco-Vanzetti incident in which several radicals were railroaded to death by the Commonwealth

of Massachusetts for a crime which they never committed.

Now all these are black marks in the eyes of history; the eyes of thinking men today—are black marks on the history of the various Commonwealths and the history of the United States. Their actions we regret. It is the contention of those of us who are opposing this loyalty oath bill that we are about to commit a legislative act which parallels those acts in being a black mark upon the fair escutcheon of this Commonwealth.

Where did the modern political test oath make its appearance in modern times? The answer is not in America. It is contrary to the American tradition. America has had nothing to do with this kind of probing of men's minds and making them take test oaths.

I would like to read you a quotation from one of our eminent historians, Henry Steele Commager, on this subject. Mr. Commager wrote as follows:

"What do men know of loyalty who make a mockery of the Declaration of Independence and the Bill of Rights, whose energies are dedicated to stirring up race and class hatreds, who would straitjacket the American spirit? What indeed do they know of America—the America of Sam Adams and Tom Paine, of Jackson's defiance of the Supreme Court and Lincoln's celebration of labor, of Thoreau's essay on Civil Disobedience and Emerson's championship of John Brown, of the America of the Fourierists and the Come-Outers, of cranks and fanatics, of socialists and anarchists? Who among American heroes could meet their tests, who would be cleared by their committees? Not Washington who was a rebel. Not Thomas Jefferson, who wrote that all men are created equal and whose motto was 'rebellion to tyrants is obedience to God'. Not Garrison, who publicly burned the Constitution in the streets of Boston, or Wendell Phillips, who spoke for the underprivileged everywhere and counted himself a philosophical anarchist; not Seward of the Higher Law or Sumner of racial equality. Not Abraham Lincoln who admonished us to have malice toward none, charity for all; or Woodrow Wilson, who warned that our flag was 'a flag of liberty of opinion as well as of political liberty'; or Justice Holmes, who said that our Constitution is an experiment and that while that experiment is being made we should be eternally vigilant against attempts to check the expression of opinions that we loath and believe to be fraught with death'.

No it was not in America that the political test oath made its modern appearance. Where was it? Well, it was in Nazi Germany and it was in fascist Italy, and it was in Soviet Russia.

The purpose of it there was expressed to be the same as it was here. To get rid of those who were subversive. Subversive men who disagreed with the ideas of the ruler of Germany. It was used to discredit the political opponents of that regime.

Men in the universities and schools who were anti-fascists were forced to take oaths. Those who did not take it were eliminated. Those who did take it lost the respect of the other people who were anti-fascist because they had been willing to take the oath. So it was merely to advance the cause not of democracy but of fascism.

Let us look at these loyalty oaths and see whether a loyalty oath is designed to do the job that people say it will do. Will loyalty oaths make men loyal? Loyalty it seems to me is something that arises from within a man, from the heart; it is an expression of feeling that he bears toward his country and towards his government. It is



the result of an intellectual decision that that government is a good one and it is the result of an emotional feeling, a respect for that government because of privileges he enjoys under that government, and the love that he bears for it.

Do you arouse loyalty in men's breasts by holding over their heads a club, by saying to them "unless you take this oath you cannot have public employment under this Government, even though you trained yourself for it, made it your life's work?"

I say that loyalty cannot be based on fear and force. What we need if we want more loyalty in our Government is a continuous effort to make democracy work; to provide more democracy, not less.

A loyalty oath is a movement away from democracy, not toward it. It holds a club over people's heads and says, "now be loyal or else." This is not the way to arouse loyalty. It is psychologically all wrong.

America needs to be united; let us not minimize the danger we find ourselves in. We are in a world crisis; we are in a struggle for men's minds. Democracy and Communism are implacable foes. We are in a desperate struggle. America needs to be united to fight the battle of democracy. Will the loyalty oath unite America? Is the fact that one-half of the population of a country is going to administer loyalty oaths to the other half, likely to bring them together and give them a feeling of unity? The communists so far, in my opinion, have failed dismally in their efforts to disunite America and that is their main goal—to disunite America. They have failed.

This type of legislation may well succeed in taking a long step toward succeeding where the communists have failed by sowing doubt in men's minds; by saying to the veteran and the disabled veteran who is a school teacher and who took the oath of loyalty, by saying to him "You must take an oath that you are loyal to your country." The spectacle of one-half of the country administering oaths to the other half, to my mind, is not a spectacle that is likely to lead to national unity.

Finally, will this oath catch communists? Let us look at the record. Massachusetts has had a law since 1935. Has it as a matter of fact and as a matter of record caught communists?

One of the outstanding authorities in this field is Professor Chafee of Harvard University, and I quote from him as follows:

"The Massachusetts Loyalty Oath, enacted in 1935 in response to assertions that the schools and colleges of the Commonwealth were riddled with Communists and traitors, has not ferreted out a single teacher with the slightest taint of disloyalty. Only three teachers in fifteen years failed to take the oath." (This was written in 1950—I can bring the record up to date and say that only three teachers to date have failed to take the oath in Massachusetts.) What is especially significant is that these three had served in the public schools for years with unquestioned devotion. They stopped their lifework because they were sensitive men and women who thought it wrong to be forced to swear that they possessed the common virtues of decent citizens.

I can refer you also to the Ober Law passed in Maryland, a similar piece of legislation. In the years since it has been passed—in the three years—exactly three people have failed to take it—none of them subversives.

So I say that on the record it is demonstrated that a loyalty oath will not catch communists. Who are the people advocating this type of legislation who are so naive that they believe that communists, members of communist party, will hesitate to take this oath of loyalty? Why it would put them into the fold. Are the proponents of this bill trying to tell us that Communists will refuse to take the oath? The people who will refuse to take the oath are people of principle who because of religion or honor, conscientious reasons, as my colleague has just pointed out a few moments ago, may feel that they should not take the oath. In other words, unless you have conscientious scruples which mean something to you, unless you are a person of character, a loyalty oath is no bar.

Some will say, "Yes, but they can be caught on perjury." The same evidence which will convict them of perjury will convict them of being a subversive under present legislation without this bill at all. So I say not only is this a bill which is likely to serve better the cause of the enemies of America than of those who love America, but also it is a vain effort to try to trap anyone who is a communist.

I have in my hand an analysis of this bill as it stands which was made by a conference of legal minds. I suffer from not myself being an attorney, and therefore I would not expect you to take anything I say about the legal provisions of this bill as being competent advice to you.

Argument has been made that the bill as it stands has no provisions other than the oath which are likely to disturb anyone. I would like to read the following statement. It is the result, as I say, of a conference of legal minds. It is signed by Julian E. Goldberg who is the counsel of the American Civil Liberties Union. It is a statement prepared for the Pennsylvania Conference of Organizations opposing the Pechan Bill. The statement reads as follows,—this is a legal analysis, not mine:

"Even in its revised form the Pechan Bill is still a dangerous bill which should be opposed. Current amendments have removed a few bad features of the bill. However, as might be expected from a hurried attempt to deal with a complex measure, in meeting some of the problems of the old bill, new problems have been created.

The current measure, like its predecessor, is much more than an oath bill. Complex machinery is still provided for the discharge of teachers and other public employees. Instead of "reasonable doubt of loyalty," the crucial test is now whether one is a 'subversive person.'

The definition of 'subversive person' in Section 1, on which the rights of present employees will depend, is so vague and complex that its administration will be fraught with danger.

This is the primary vice of the bill. What is 'subversive' or 'disloyal' is so much a matter of subjective opinion and so incapable of factual verification that no one can determine in advance what will be in the minds of the tribunal which makes the judgment.

The bill thus puts definite restrictions on freedom of association and freedom of expression outside the classroom and outside the place of public employment. In the operation and administration of such an act, repression of liberal thought must surely result. Every employee or teacher who might want to express himself politically or join an organization will do so under peril of a charge of 'disloyalty' or 'subversion.'



The Legislature has seldom been asked to deal with a more serious and delicate matter than the basic civil liberties which are here at stake. These liberties deserve more careful handling than it has been possible to give them in the hectic closing days of this legislative session. The bill should be opposed. Signed Julian E. Goldberg, Counsel, American Civil Liberties Union.

So the bill is a better bill but it is still far from being a good bill even apart from the loyalty oath. Present law, if this bill should fail, is adequate. I am not going to bore you by reading again the Teachers Tenure Act, Law of 1941, which covers the situation, but it is adequate.

Someone will say, and I have heard this statement made, "The trouble is it is not enforced." This is an indictment of the appointing authorities who are the elected or appointed officials of this Commonwealth and its subdivisions, for not enforcing, and remember, each one of them took an oath that they would fulfill the duties of their office and here is one of them if you say it has not been enforced, here is one provision of the law that they have not enforced and they have taken an oath to do so.

When I was somewhat younger and smaller, around the time of World War I, there was an epidemic of influenza, and I come from a section where the Pennsylvania Dutch are found, and I belong to the Pennsylvania Dutch. Down there we had a device known as the asafetida bag. I do not know whether any of you ever wore one of those or not. It was a little bag we wore around our necks. The little bag was a cloth in which they sewed up a very vile smelling herb or drug called asafetida. The theory was that if you wore this asafetida bag around your neck, you were safe—the influenza would not get you.

Today I think all of us would say that was a very unscientific and a very irrational and foolish notion because the germs were not bothered by the asafetida bag, but it smelled like the dickens. It smelled awful, I remember that.

I have been trying to get a name for this bill we are discussing. I did not like "Pechan Bill" because obviously Senator Pechan's bill is no longer with us. I certainly did not like to call it a Loyalty Oath Bill because I do not believe you have a loyalty oath; you have a political test oath. I do not like to blame it on any of the gentleman in this House who have made such a fine effort to clean it up; but it reminds me now of that asafetida bag and for my own personal purposes I am going to refer to it as the "Asafetida Bill" because what we have! The asafetida bag was not any good. It did not stop the germs. That same thing is true of the loyalty oath bill.

Second, it made our parents feel awfully good that we wore it because they thought we were protected, and that is the way a lot of people in this state who are advocates of this bill are going to feel. They are going to feel everything is all right. We made those people put the asafetida bag on and they are safe.

Third, there was a menace to this asafetida bag in that our parents relied on it rather than taking proper precautions or taking us to a doctor and getting competent medical advice. The same thing is true of this bill. You are going to put your reliance here in a loyalty oath.

What we need in America for loyalty is more attention to the needs of democracy, making democracy work. We cannot rely on this kind of bill.

Fourth, the asafetida bag smelled awful and to my mind so does the bill. I do not believe you can catch a communist by smelling like one, and I am afraid that the ultimate outcome of this bill is that we are going to smell like them.

I would not minimize for a moment the danger in which our nation finds itself, and we as citizens must be concerned about it, and as legislators we must be concerned about it. However, we can disagree on the proper methods of procedure.

What is the real danger to America? To my mind the communists are a danger which is being minimized daily. In the first place I do not believe that the communists have any appeal to the great masses of the people of America. I think they know them for what they are. They are on the alert against them and I think the danger is fast being minimized. I think our Federal Bureau of Investigation is doing an excellent job. They do not approve of this type of legislation.

I think, however, there is a new danger appearing and this danger is the well-meaning people who have lost confidence in the way of democracy, who believe that freedom is something now of which we have to be afraid. It is all right when we are in peace times some people tell me. I have heard this argued very persuasively. It is alright when we are at peace, when we do not have any enemies on the horizon, then we can have freedom, let people say what they please—we do not need to take any oaths. But as soon as a cloud comes over the horizon, there is danger in the air, then let us take away these liberties, they are a luxury, we can only afford them when the going is good. They are a liability to us really. They are nice, but can we afford them is the persuasive argument that we hear.

I say we can not only afford them—I say that freedom is a weapon which works on our side but it is a weapon we should not throw away because I believe the people in America are intelligent. The more freedom you give them to hear all sides in their newspapers, in public discussions, have it taught in the class room, the more chances there are they are going to make right decisions and they are going to defend this thing we call "democracy" and the nation which sponsors it.

But if you take away freedom, if you whittle it down with a beginning such as you have here, you are taking the road to deflect us from that path of Americanism and democracy and start us on another path which counts freedom as a rather precarious thing that we cannot afford. I say let us keep freedom. Let us keep it to its full. Let us not admit to anyone that freedom is a thing that is a liability to a nation when the going is tough. Let us not remove the very goal for which we are fighting.

I think the members in this House have had ample opportunity to think over this bill. I do not flatter myself that anything I say, coming at this date, is going to have a very great effect. But I do want you to think about this matter. I want you to know what you are doing because other Legislatures have passed other bills and have been thoroughly ashamed of them, and their sons and grandsons have been ashamed of them.

Do not bow to a momentary feeling of hysteria and



fear or pressure and do something for which you, your children and your grandchildren may be sorry; things that they may look back on in the same light as they look back upon the things in American history which I have discussed earlier; blots which we would gladly expunge from the pages of American history. Let us not let this be a black mark on the history of Pennsylvania.

Mr. BOLTON. Mr. Speaker, I am sure that each Member of this House is dedicated to the noble ideal of freedom. But if we are to possess this freedom, we must have loyalty, we must have unflinching courage to defend the heritage of freedom which was determined and proclaimed at Independence Hall. We must have the courage to defend that heritage which was resolved at Valley Forge, in World War I and forged again in World War II.

Our American way of life is not a political accident. Our republic arose from the fact that the founders believed in the proposition that if men are equal in any respect, they are equal in all respects, and have, therefore, an inalienable right to govern themselves and determine their destiny.

It is this fundamental reasoning that Joe Stalin, his agents and communist fellow travelers deny. It is this violently opposed proposition that we should be determined to assert just as long as any of us have breath. We should be determined to be free as long as any of us have strength to resist being bound in slavery.

All of us here are duty bound to do our utmost to retain what we have inherited through the hard effort, misery and privation of our forbearers.

We spent a considerable amount of time early in this session on the subject of civil defense. And, Mr. Speaker, I believe that part of our civil defense is protecting ourselves from within. Part of the protection we need is found in the provisions of the Pechan Loyalty Oath Bill which now awaits passage by this House.

This bill is part of our insurance for survival and it is insurance which costs us nothing. It is insurance which we can pass on to our families, our constituents in our own lifetime. We should do our utmost to make certain here and now in the instance of this bill that we provide a definite means to protect ourselves from within against subversives.

We have made an extremely belated start in this country to imprison traitors. Gus Hall, the bail jumper, the dynamite expert, a Moscow trained agent, was captured in Mexico and is now on trial. Seven other communist traitors still are evading jail, seven more are in prison; 28 are indicted and awaiting trial, while 27 others are under arrest. These are the leaders—all of them—charged with plotting the violent overthrow of this, our government.

Because such people are among us is one good reason why Pennsylvania needs a Loyalty oath bill—the bill which now awaits final passage by this House.

One of the most serious problems of our times is determining who is and who is not loyal to American ideals and traditions.

The Pechan Loyalty Oath bill will give us a measure of added protection against subversive elements. It will help weed out of public and semi-public institutions those who do not believe in our system of government.

The oath contained in this bill is a clear statement of loyalty to the Commonwealth and to the United States

of America. I fail to see how any one whose conscience is clear could or should refuse to take such an oath at this time or any time.

In times such as these you are either a loyal American or you are not. There can be no compromise with that, with those grounds.

Only those who are disloyal to the Commonwealth and to these United States of America can or should fear any consequences from taking this oath. Disloyal persons want to avoid perjuring themselves and going to jail. This is the essence of the loyalty oath bill and do not let anyone tell you otherwise.

The argument that the loyalty oath bill is unnecessary is senseless. A Federal loyalty oath now in effect has been effective in removing either voluntarily or involuntarily those whose loyalty to the United States of America is less than desirable.

There are still more Alger Hisses around who might be in public employ. The purpose of this bill—Senate Bill 27—is to find them.

The gentleman from York mentioned a gentleman named Julian Goldberg, I believe it was. Unfortunately, I do not have the pleasure of knowing the gentleman in question. I am familiar, however, with the Veterans of Foreign Wars, and the American Legion, and the Disabled American Veterans, and the Jewish War Veterans, and their auxiliaries, and a good many organizations along those lines. I find that these organizations have worked untiringly for this bill. They have been a leader in the fight to arouse people all over this Commonwealth to the desirability of this bill and they have also aroused people in every corner of this Commonwealth to watch the action of the House of Representatives here in Harrisburg in their consideration of this bill. I fully believe that the people of this Commonwealth want this bill.

I, therefore, urge that Senate Bill No. 27 be passed by this House of Representatives so that faithlessness can be supplanted with fidelity; treachery with allegiance; treason with devotion; and disloyalty with loyalty, to help guarantee our freedom and our children's freedom and their children's freedom.

Mr. READINGER. Mr. Speaker, the gentleman from York has made a very excellent case against the necessity for a loyalty oath, but we still have to consider the other matter and that is the desirability of this oath.

Some of us may have forgotten a fact which I would like to call to your attention and that is that for the last 77 years the Pennsylvania Constitution has provided that Senators, Representatives, all Judicial, State and County officers shall, before entering on the duties of their respective offices, take and subscribe to the following oath or affirmation, which reads as follows:

"I do solemnly swear or affirm that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity . . ."

The oath then goes on to recite that the person has not procured his election by buying it and so forth.

I would like to point out to you that no subversive person as defined in this bill could possibly stay within that oath, if that were the only oath taken because you cannot "obey, and defend the Constitution of the United States and this state" and still seek to overthrow this



government by violence or force. The two are so obviously inconsistent that it requires no persuasion at all to have you agree with that.

So, my thought on this particular oath is that it means exactly the same thing as the oath we have been taking as Members of this House and the oath that all other elected officials of this Commonwealth have been taking since the Constitution of 1873.

The more I listen to this debate and the more I hear about this bill, the more I think of those words of Shakespeare when he said in one of his plays, there is "Much ado about nothing." I do not mean to say that this is not an important matter, but I do say that we are certainly spending a lot of time and a lot of words over something which really boils down to a question of desirability.

Is it desirable thing to have the people take, who are going to work for our government, or is it not?

The founders of our Constitution back in 1873 thought it was important and they put it into the Constitution. I have not heard anyone complain in all these years that this oath which they have been taking is unnecessary or undesirable. So, I am wondering now why we are raising so much fuss about whether a person should or should not take this oath. It never seemed to be so important before and we have been through lots of times of stress and trial. So, I do not think it is of any earth-shaking importance to us today whether or not this oath is taken.

In my opinion, it is desirable and I am going to vote for it. In the opinion of those who think it is unnecessary and undesirable, they will probably vote against it. But I do fail to see that it is going to move the foundations of Pennsylvania one way or the other. I simply feel we should decide whether it is desirable; if we think it is, we vote for it; if we think it is undesirable, we vote against it.

Mr. LOUIS LEONARD. Mr. Speaker, in my humble opinion the Members of this House this afternoon are being called upon to make a momentous decision. It has already been referred to that you may be sorry for the position which you took today, and again you might be glad you did.

First of all I want to emphasize that I will take the oath as the law requires, have always done so. That is a good catchy phrase, that a good American will not hesitate to take the oath.

This bill was introduced on the 15th day of last January—almost 12 months ago. It has been hanging around the state Capitol all that time, has been amended as far as I can find eight times, and finally passed the Senate in March and has been in and around the House here from March 29th to December 19th, that is today.

I am perfectly honest when I say to you gentlemen that I am a great believer in the American jury system. I want to know both sides of the story before I make a decision, and I do not like to be kidded about it or strong-armed on the idea. For the last eleven and a half months I failed to find anyone who presented a logical reason for this bill. Our statutes are already covered with bills which take care of traitors to our country. The police, I presume by the millions throughout the length and breadth of this country, are on the alert all the time in the protection of our country.

The school teacher is selected, I presume, by the superintendent of the school. The superintendent of schools is selected by the Board of Education. Can anyone in this audience think for a moment that a member of the Board of Education would select a superintendent of schools who was not a sincere American, and on down the line would that superintendent in turn select a teacher who was not a sincere American? And is not their background checked from the time they left the cradle? How could a communist get on our school boards now that we have been awakened by the trials which are taking place all over our country, trying the traitors—I do not call them communists; I call them out and out traitors to our way of government and it is just impossible for me to believe that it is possible for a communistic minded teacher to get on our payrolls.

The same applies to an elected official. The people in your neighborhood are familiar with your background. They know in most cases your background and what kind of a citizen you have been. And you leave it to the voters—they rarely make a mistake in making their selection insofar as being an American is concerned. I know they make a lot of mistakes on other matters.

The Act of 1941 takes care of the traitors, as I said before, and as I outlined is the Board of Education's responsibility. I say to you gentlemen, you cannot legislate good citizenship; that is completely out of the question. What we, as good Americans, ought to have in mind, we must have good government, government that treats all the people the same, equal rights to all and special privileges to none.

The remarks of the gentleman from York County cover the situation so thoroughly that it brought to my mind the condition that existed in Pennsylvania prior to the National Labor Relations Act. A lot of the Members of the House sitting here know the conditions which existed in their big industrial centers where the sheriff and the mayor and the D. A. were on the company's payroll—where a 100 percent American proved his worth representing a 100 percent American organization; came at the response of the workers in that industrial center for the purpose of aiding them to establish an organization so they could compel their employer to sit across the conference table. And what happened? Ever so many times that 100 percent American was banned by that company policeman, company mayor, company D. A. Even to the state Capitol.

I came here to get redress out of one of the industrial centers. The Governor was good enough to give me an audience and he called in the Attorney General. The Attorney General said, "I'll have to check; I'll be back in 20 minutes." He came back and said "I can't do anything about it."

That is the condition to which this bill might lead—I hope it does not; but it does give the guy a chance to put his foot in the door. And he will have that foot in the door and when the next session comes along and the wrong people are elected to the House of Representatives, this could be easily changed to compel the industrial worker to take the loyalty oath. It is the easiest thing in the world to get something on the worker.

In the days which I have been talking about, he worked 14 hours night turn, 10 hours day turn, 7 days a week, when he worked—just when he worked. He was on the



street a good many times. All right, he and I are good friends, we had a couple of dimes in our pockets and we liked a glass of beer. So we went to our favorite tavern and we stood at the bar, and with the great big glass of beer we used to get in those days, either he or I—I am using myself as an example of actual experience—we get to discussing our working conditions. It is pretty rotten—we are getting about one-third or one-half of what we should be getting. That is only between the two of us; we did not think anything of it—we had a couple of big beers. The next morning I picked up my pay check. The fellow to whom I was talking and who was my friend and associate with whom I worked, was a company spy. That happened thousands of times in our big industrial centers prior to the National Labor Relations Act.

And I still insist, not because of all these communications which I have here—they come from the highest educational set-up in the state, individual citizens, churches, and people—I do not think really anyone likes to sit down and write a letter—when I write a letter it is because I have to—these people sat down and wrote letters and expressed their opposition to this bill, and I think they know what they are talking about.

We had a discussion here this morning on Senate Bill 27 and it was insisted that that language “reasonable doubt” was out of the bill. “Reasonable doubt” is in the bill. I only looked at it in about two places, it is still in there, and as you heard me say a few days ago, a former state Attorney General had a “reasonable doubt” that caused an assistant D. A. in Allegheny County to lose a year’s work. Five eminent attorneys made a complete investigation and freed the D. A.’s assistant outright.

The people who would not be familiar or who would not be in love with the political party that this D. A. belongs to will always have it in their craw. To say that he has leanings towards the communist party, that is a statement that if I were the jury, for which Mr. Former Attorney General would have to pay dearly.

I started my remarks by saying we are called upon to make a momentous decision. I hope you will listen to Mr. Seyler from York County because he really laid it on for you, and I hope you will be guided in casting your vote by the evidence presented to you.

Mr. TOLL. Mr. Speaker, I want to present the position of the Pennsylvania CIO Council on this bill. It is in the form of a letter which was mailed on December 7th. But this letter is still in effect, and the President of the Pennsylvania CIO Council informed me that the position of the Council is still the same.

There is only one paragraph of this letter on page 2 which does not apply to the latest revised edition of the bill.

To the Honorable Members of the  
House of Representatives

The Pennsylvania CIO Council is unalterably opposed to S. 27, commonly known as the Loyalty Oath Bill.

This bill seriously infringes upon the basic rights of free speech and tends to impose thought control upon a large number of citizens of this State.

It will not do what its supporters think it will, i.e., that to require of certain people the taking of an oath attesting to their loyalty will keep persons of subversive tendencies out of office. To say that

such a premise is incredibly naive is to put it mildly indeed. This bill facetiously presupposes that Communists hold serious their regard for an oath. This is simply not true. They will not hesitate to swear falsely under oath if it suits their purpose. One’s imagination must be strained indeed if they think for a moment the requirement of a loyalty oath will separate traitors from patriots.

We must be careful, lest by the bold stroke of a pen we would wipe out certain basic freedoms which are our heritage hard won. This bill would work hardship to some whose loyalty is beyond question.

Avenues of appeal afford scant protection to anyone accused under this bill.

This bill does not attempt to define loyalty. It lists a number of activities or associations which “may be considered” in the discharge of an employee, but the agency making the decision is not limited to them. Shall every public job in this State hang on the whim of administrators who might entertain “reasonable doubts?” The opportunities for abuse and recurring harassment under such vague provision are unlimited.

In the case of a teacher, this bill supersedes, as inadequate, the present Tenure Act under which teachers may be discharged for the advocacy of or participation in “un-American or subversive doctrines.” It adds an undefined test of “loyalty.”

Under this bill, every municipality and school district in the Commonwealth, in a period of rising hysteria when care must be exercised to protect basic civil rights, could conceivably become engaged in a continuous witch hunt designed to punish unorthodox political opinion.

Under this bill irreparable injury to the reputation of innocent persons is more than a possibility; it is a likelihood.

Really dangerous subversives will be caught by careful, constant, professional investigation by an agency such as the FBI, and not by pieces of paper.

The vast majority of our people are intensely loyal, as they have amply demonstrated. To question, even by implication, the loyalty and devotion of a large group of citizens is to create an atmosphere of suspicion and distrust which is neither justified, healthy nor consistent with our tradition.

We must be careful that we do not establish an instrumentality which may be a two-edged sword, more dangerous to ourselves than to our foes.

The Pennsylvania CIO Council is opposed to all forms of totalitarianism. We are also opposed to adopting totalitarian methods in seeking to determine one’s “loyalty.” This bill would create a gigantic thought control machinery capable of terrifying abuses, whose effect would be to punish unorthodox opinion and to impose conformity as established by those in appointing positions.

We must fight traitors with laws. We already have laws. We must fight falsehood and evil ideas with trust and better ideas. We have them in plenty. But we must not confuse the two.

The unnecessary bill jeopardizes the freedom of sincere and honest citizens in an attempt to catch and punish subversives.

We must not burn down the house to kill the rats. The Pennsylvania CIO Council respectfully urges you to oppose this bill.

Sincerely yours,

Harry Boyer, President.

I have here a telegram which was sent to Harry Boyer, President of Pennsylvania CIO Council, in response to this analysis. This telegram reads as follows:

“I have read your excellent analysis of Senate Bill 27, the so-called loyalty oath bill, as contained in your letter to Members of the Pennsylvania House of Representatives. Your letter exactly reflects my position



on this most dangerous piece of legislation and I want to lend all the support I can to its defeat." (This was signed)

Philip Murray, President Congress of Industrial Organizations

Let me go one step further and read you a part of the message of Governor Stevenson of Illinois, when he vetoed a bill similar in nature. As a matter of fact the bill which he vetoed is stronger than this one. The following is the text of the message which Governor Stevenson filed on June 26, 1951 in explanation of his veto of the proposed Seditious Activities Act:

I return herewith, without my approval, Senate Bill No. 102, entitled "An Act to protect against subversive activities by making it a crime to commit or advocate acts intended to effect the overthrow of the Government of the United States or the State of Illinois or of any political subdivision thereof by violence or other unlawful means, or to attempt or conspire so to do, by defining subversive organizations and making them illegal, by establishing procedures to ensure the loyalty of candidates for public office and of public officers and employees, and providing for the enforcement of the provisions of said act, and providing penalties for the violation thereof."

I veto and withhold my approval from this bill for the following reasons:

The stated purpose of this bill is to combat the menace of world Communism. That the Communist Party—and all it stands for—is a danger to our Republic, as real as it is sinister, is clear to all who have the slightest understanding of our democracy. No one attached to the principles of our society will debate this premise or quarrel with the objectives of this bill.

Agreed upon ends, our concern is with means. It is in the choice of methods to deal with recognized problems that we Americans, in and out of public life, so often develop differences of opinion. Our freedom to do so is a great source of strength and, if not impaired by mistakes of our own will contribute greatly to the ultimate confusion of the enemies of freedom.

The issue with respect to means raised by this bill has two aspects. One is the question of the need for it in relation to existing weapons for the control of subversives. The other is whether this addition to our arsenal may not be a two-edged sword, more dangerous to ourselves than to our foes.

Were the latter alone involved, I should hesitate to impose my judgment upon that of the majority of the General Assembly. But it is precisely because the evil at hand has long been identified and provided against that we were in Illinois need not now do something bad just for the sake of doing something.

Does anyone seriously think that a real traitor will hesitate to sign a loyalty oath? Of course not. Really dangerous subversives and saboteurs will be caught by careful, constant, professional investigation, and not by pieces of paper.

The whole notion of loyalty inquisitions is a natural characteristic of the police state, not of democracy. Knowing his rule rests upon compulsion rather than consent, the dictator must always assume the disloyalty, not of a few but of many, and guard against it by continual inquisition and liquidation of the unreliable. The history of Soveit Russia is a modern example of this ancient practice. The democratic state, on the other hand, is based on the consent of its members. The vast majority of our people are intensively loyal, as they have amply demonstrated. To question, even by implication, the loyalty and devotion of a large group of citizens is to create an atmosphere of suspicion and distrust which is neither justified, healthy nor consistent with our traditions.

Legislation of this type, in Illinois and elsewhere,

is the direct result of the menacing gains of Communism in Europe and Asia. But it would be unrealistic, if not naive, to assume that such legislation would be effective in combatting Communist treachery in America. Such state laws have nowhere uncovered a single case of subversive disloyalty.

Basically, the effect of this legislation, then, will be less the detection of subversives and more the intimidation of honest citizens. But we cannot suppress thought and expression and preserve the freedoms guaranteed by the Bill of Rights. This is our dilemma. In time of danger we seek to protect ourselves from sedition, but in doing so we imperil the very freedoms which we seek to protect, just as we did in the evil atmosphere of the Alien and Sedition law, of John Adams' administration, and just as Britain did during the Napoleonic era. To resolve the dilemma we will all agree that in the last analysis the Republic must be protected at all costs, or there will be no freedoms to preserve or even regain. But if better means of protection already exist, then surely we should not further imperil the strength of freedom in search of illusory safety.

We must fight traitors with laws. We already have the laws. We must fight falsehood and evil ideas with truth and better ideas. We have them in plenty. But we must not confuse the two. Laws infringing our rights and intimidating unoffending persons without enlarging our security will neither catch subversives nor win converts to our better ideas. And in the long run evil ideas can be counteracted and conquered, not by laws but only by better ideas.

Finally, the states are not, in my judgment, equipped to deal with the threat of world Communism which inspired this bill. Communism threatens us because it threatens world peace. The great problems with which Communism confronts us are problems of foreign relations and national defense. Our Constitution wisely leaves the solution of such matters to the national government.

In conclusion, while I respect the motives and patriotism of the proponents of this bill, I think there is in it more of danger to the liberties we seek to protect than of security for the republic. It reverses our traditional concept of justice by placing upon the accused the burden of proving himself innocent. It makes felons of persons who may be guilty more of bad judgment than of anything else. It jeopardizes the freedom of sincere and honest citizens in an attempt to catch and punish subversives. It is unnecessary and redundant.

I know full well that this veto will be distorted and misunderstood. I know that to veto this bill in this period of grave anxiety will be unpopular with many. But I must, in good conscience, protest against any unnecessary suppression of our ancient rights as free men. Moreover, we will win the contest of ideas that afflicts the world, not by suppressing these rights, but by their triumph."

I want to also read the final sentence so that it is heard by all.

"We must not burn down the house to kill the rats."

Mr. WILBUR H. HAMILTON. Mr. Speaker, it will not make a particle of difference to me whether anyone in the Hall of the House pays any attention to what I am going to say, but I am going to reply just very briefly, courteously and honestly to a few statements made by that fluent orator, the gentleman from York.

To Mr. Seyler I would like to say this, that temerity on my part would prevent me from engaging in a debate with a man who is so fluent and powerful and persuasive as he is. But I do feel that he should be brought up to



date on what occurred in the state of Massachusetts on September 13, 1951. My presumption is that you did not see this statement in the Philadelphia Inquirer, and I want to make it unmistakably clear that these two gentlemen are only indicted; they have not been convicted. But it does prove that the state of Massachusetts is making progress. According to a report in the Philadelphia Inquirer on September 19, 1951, a professor named Derk J. Truett of the Massachusetts Institution of Technology was accused of entering into conspiracy to overthrow the government of the United State, and he is a secret member of the communist party. Now again let me reiterate he is merely indicted; not convicted.

There is another gentleman who is known as Harry Winter of Malvern, Massachusetts, who was also indicted for being involved in the same conspiracy. I do not know what the outcome of their trials will be, but there is a possibility that two more will be added in the state of Massachusetts.

During the course of that brilliant discourse delivered by the gentleman from York, he referred to a report that was prepared by several eminent attorneys, the counsel for which was Julian Goldberg who was the general counsel for the American Civil Liberties Union. I do not know anything about Mr. Goldberg. I never heard his name or read his name until I saw his name on the letterhead of the American Civil Liberties Union. Now Mr. Goldberg can be one of the finest gentlemen in the United States of America so far as I am concerned, but I do know this, that one of the members of the Board of Directors of the American Civil Liberties Union for which Mr. Goldberg is the general counsel, is a man named Roger N. Baldwin.

Roger N. Baldwin, and I am quite sure this is the same Roger N. Baldwin, was a draft dodger in World War I. In addition to that and for that crime he served a prison term. Worse than that, Roger N. Baldwin in a report of the Un-American Activities Commission of the House of Representatives in Washington, according to the testimony in that report—and I have an official copy, and to prevent taking a tremendous amount of time I am not going to read it—but Roger N. Baldwin, according to his own statement in answering questions is one who advocated overthrowing the United States government by force and violence. Now Julian N. Goldberg, the general counsel for the American Civil Liberties Union, who incidentally is opposing the adoption of this bill very vigorously, should certainly make a careful examination of some of the leaders of that organization.

In addition to Roger N. Baldwin there is another gentleman whose name is Corliss Lamont. Corliss Lamont wrote several books, and in one of those books he said that he is advocating socialism—he has a perfect right to do that—he says that socialism will some day give way to communism. I realize that I am picking out a sentence in a statement but I am not going to try to quote the entire book verbatim, for that would be impossible.

I realize that the gentleman from York made an intensive study of this situation, a very sincere study, and I would not have referred to this except for the names which he mentioned in the course of his remarks.

I would like to say this to the gentleman from York: The Good Lord has blessed our home with three children. Some day we might have grandchildren, and I hope we

do, and I suppose for an old reprobate like myself my grandchildren, Mr. Seyler, will be ashamed of me for many reasons, but if any of them come into the world I do not think they will be ashamed of me if I cast my vote in favor of Senate Bill 27 in this session of the General Assembly.

Mr. SEYLER. Mr. Speaker, I have no desire to prolong the debate but I feel I must answer some of the allegations made by the last speaker.

I first of all wish to thank him for his fulsome praise of my remarks. I think they scarcely merit them. I would like to answer some of the points he made and include also the gentleman from Montgomery, who spoke on the same point.

Neither of them, unfortunately, have heard of Mr. Julian Goldberg, and I may be over sensitive on behalf of Mr. Goldberg, but I thought I detected an implication, at least in the remarks of the gentleman from Montgomery, that if that was the case there was probably something wrong with the gentleman. I would like to say that Mr. Goldberg is counsel for the American Civil Liberties Union of the greater Philadelphia branch and I would like to mention a few names that perhaps the gentleman from Philadelphia and the gentleman from Montgomery have heard of who are on this Board.

The Executive Board which Mr. Julian Goldberg represents and in whose name he speaks is large, I will not mention all the names for I feel sure they, too, will suffer from not having been heard of by the gentlemen; but I would mention a few. I would mention the name of Joseph S. Clarke. I hardly think there is any Republican in the city of Philadelphia or in Montgomery County who has not heard of Mr. Joseph S. Clarke, the newly elected mayor of the City of Philadelphia.

Then I would mention the name of Earl G. Harrison who is one of the outstanding legal luminaries of this Commonwealth and formerly Dean of the Law School of the University of Pennsylvania.

Then I would mention the name of the Honorable Owen J. Roberts, a former Justice of the Supreme Court. I would suspect that even such non-legal persons as Mr. Hamilton and Mr. Bolton may possibly have heard of him. It may be of course, that I have named Mr. Clark to his discredit perhaps in their thinking as a Democrat, but I would mention the fact that Mr. Roberts is of the opposite party.

Now I mention that in order to straighten the record, because I feel some responsibility for having introduced Mr. Goldberg's name into the record.

I would also say in defense of the national organization that this represents, that the American Civil Liberties Union is one of the outstanding defenders of American liberties wherever they are attached. They do not hesitate to defend anyone; they are a strictly non-communist organization. They have been very careful to be positively free from any possible claim of any attachment.

In the case of Mr. Baldwin you got a brief sketch of his life from Mr. Hamilton. I do not have the copy of the publication in my hands but about the September issue of Harper's magazine, August or September, you may read a very full article discussing the excellent services Mr. Baldwin has rendered as a member of this organization. Mr. Baldwin was accused in the speech of the



gentleman from Philadelphia of being a draft dodger. If you make conscientious objector the equivalent of draft dodgers and resistance of the law deliberately to test the law on draft dodging, perhaps there is a case. Mr. Baldwin, to the best of my knowledge, is thoroughly anti-communist.

The other gentleman mentioned, Mr. Corliss Lamott, I know less about. I am sorry that I have not investigated him. I will point out that this board, too, contains some very reputable names and a name generally associated with the American Civil Liberties Union is the name of Arthur Garfield Hayes, an outstanding defender of American freedom, and if these gentlemen have not heard of him, I am sorry for them, because his name is very renowned as a defender of American liberties. And so I do not apologize for the organization I have quoted nor for Mr. Goldberg, who I understand is an excellent lawyer. I think the opinion he rendered on behalf of this organization deserves to be considered.

### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, there are very important measures pending. I have no desire to curtail discussion of an important bill. We have up to this time managed to dispense with any parliamentary move involving the previous question. There are some twelve or so members of the Democratic Caucus who are unalterably opposed to this bill. I would suggest that in future discussion, if there is future discussion, that the time belimited to five minutes and remarks extended on the record.

The SPEAKER. The Chair appreciates the suggestion of the gentleman from Cambria, Mr. Andrews, and requests the Members to be brief in their remarks.

Mr. ANDREWS. Mr. Speaker, I wish to further call the attention of the minority members to the fact that the Majority Leader would be privileged to move the previous question.

I do not want him to do it. I do not think he wants to do it. If a Member has five minutes on the floor and opportunity to extend his remarks on the record, I think that will get us by the present situation.

Mr. FILO. Mr. Speaker, I shall be brief. I am in the position where prior to yesterday's amendments to House Bill 27, I would have voted against the measure on the basis of the will of the people in my district at home. Since that time these amendments have changed the bill materially and I am going to vote for the bill.

However, prior to that I had an AMVET Post in my district, West Mifflin AMVET Post No. 92, which was opposed to Senate Bill 27, Printer's No. 615. I would like to cite some of the reasons as to why they were opposed. I feel with the bill in its present amended form, if they had the chance to discuss the bill and go through it thoroughly they would probably be for the bill.

Also I have a Legion Post in my district, Legion Post No. 75, Daniel Keffer Post of Clairton, who were opposed to Senate Bill 27, Printer's No. 615. I might quote from the letter to me from the AMVETS, stating that while Post 92 is in favor of a loyalty oath, it concluded from its study of this bill that it would violate the very rights our country seeks to protect when we all fight communism.

The provisions of the bill, open the door to hearsay

evidence and branding a person as a communist solely on hearsay, permit accusation, trial and conviction by a committee which may be composed of only one person, acting as accuser, prosecutor, judge and jury, and fails in plain, everyday language to provide for a speedy means of appeal to the courts of our state. It is a departure from the accepted traditional methods of American justice set up by our Constitution and Bill of Rights.

This bill will benefit communists alone, for it is adopted to their plan to make our American heritage, our Constitution and laws appear ridiculous before the world; for it affords them an opportunity to have an anti-communist law declared unconstitutional.

Now that is just briefly. They go on to state that we understand some changes are to be made in the bill and respectfully request a copy of such changes as soon as possible so that we may have an opportunity to study them before final action.

I am sure if they had a copy of the latest Printer's No. they would go on record as favoring the bill.

I can say the same thing for Clairton Post No. 75 that if they had ample time to study the provisions of this bill from the latest Printer's No. that they would also be in favor of the bill.

Mr. GUARNIERI. Mr. Speaker, just a few words at this time, I do not want to take the time of the House too much.

I think that each and all of us on this bill for great period of time past have received a lot of literature, protests, recommendations and suggestions.

Originally the bill appeared to me personally, and to many others of us I believe on both sides of the House, as a very bad bill. There have been various amendments up to the present time. I think if we take it down day to day to this present point, many of the objections to the bill, which I originally very vehemently had, have been removed. All that we have remaining here is a simple loyalty oath, not a loyalty oath in the sense of a general loyalty oath, but that I am not a member of any subversive organization which is dedicated to overthrowing the Government of the United States or of this Commonwealth by force and violence.

I would ask the Members on both sides of the House to read the bill and you will see that the oath is not only that I am loyal but it is a specific oath and that is as far as it goes.

The objections raised by the State Education Association as to specific charges, dismissal for disloyalty upon proof beyond a reasonable doubt, provisions for rules of evidence and procedures prevailing in the court, and specific provisions for appeal to the court.

These objections have been satisfied in the present bill. Also the objections raised by the CIO which were read by my colleague Mr. Toll in their letter of December 7th, I believe are substantially satisfied.

When I vote upon this bill I shall not be influenced by the opinions of any pressure group on any side, whether it be one group or another group. I believe that all groups have been generally as Americans interested in this bill. I think if we read the bill we will find that it is simply a bill stating that "I am not a subversive and shall not be a subversive dedicated to overthrow the government of the United States or the Commonwealth by force and violence" and nothing more.



Mr. LOPRESTI. Mr. Speaker, as a Past Judge Advocate of the AMVETS of the State Department of Pennsylvania, I wish to make clear upon the floor of this House the position taken by AMVETS at their Convention held in Harrisburg in 1951.

The AMVETS in 1951 in Convention assembled endorsed the loyalty oath in principle. As late as last week the Department Adjutant as well as the Department Past Commander of the state of Pennsylvania were in this House urging the passage of this particular bill. I am saying this so there will be no misunderstanding from the letter read which is the recommendation of one Post only. It does not represent the feeling of AMVETS in Pennsylvania.

We as an organization are for the loyalty oath bill.

Mr. GRANVILLE E. JONES. Mr. Speaker, I just thought maybe I would withdraw the interrogation I was going to make on this bill in order to keep within the time that is allotted to me.

The SPEAKER. The Chair thanks the gentleman.

Mr. GRANVILLE E. JONES. Mr. Speaker, I rise to express the opinion of the citizens of the Commonwealth in regard to the matter which we are discussing today, the amendments to this bill.

Senate Bill 27, known as the Loyalty Oath bill, has created a state of affairs to enter into the minds of the people of this state. The loyal and true Americans have begun to feel that if this bill is enacted into law it would endanger their constitutional rights.

This act would give those in the capacity of president, chairman, director, superintendent or supervisor the right and privilege to hold a club over the heads of the unfortunate or accused persons and would place them at the mercy of a possible political minded trial Judge—even if it appeared that a reasonable doubt exists the individual could still be found guilty. He would have to prove his innocence. Where would he get the money from for this procedure through the courts?

Those in authority making the complaint, who would hold a bit of malice, jealousy or animosity against any person, could have an opportunity to use loyalty oath act, to inconvenience, embarrass, remove the individual altogether from employment by saying that he subversively inclined or a communist because he or she had been outspoken or had expressed an opinion—which is the right of all true Americans under our constitution.

This loyalty oath bill we are now considering reminds me of a group of people in Church—when the Minister shall ask for those that are saved or converted to raise their hand, everybody raises his hand. He also asks those who are not saved to raise their hand—and nobody raises their hand—even though the Pastor may know there are unsaved sinners right before him.

So what is to stop the unrighteous, the subversive, or the communistically inclined person from taking an oath? It does not reform him by taking the oath—he just says yes, I do solemnly swear, or pledges to carry out the oath and obligations when administered to him and continue to work right along with the rest of the true and loyal Americans, who will be apprehended?

This bill has nothing in it which would compel all the public workers to take the loyalty oath.

I have had ample time—like the rest of you Members during the recess of this House—I would support or

favor a loyalty oath that would take in all of the public workers or political subdivisions of the state.

Should the citizens of Pennsylvania submit to a system of having their thoughts analyzed before they could speak? The answer is decidedly, no. This is what will happen if this bill becomes enacted into law.

Why should we destroy the act passed by the Legislature in July 28, 1941, which provides for the dismissal of any person guilty of an overt act. Even the State Supreme Court has ruled that the membership in the Communist Party is a cause for discharge from State employment. It is the duty of the FBI to investigate those who seek to overthrow the government and bring them to justice. We should let it remain that way.

I am wondering why the American Legion is supporting this bill when it seeks to condemn and destroy the privilege—

The SPEAKER. Is the gentleman about to conclude his remarks?

Mr. ANDREWS. Mr. Speaker, I suggest that since the gentleman is reading from a manuscript he submit the manuscript for the record.

The SPEAKER. The Chair thanks the gentleman.

Mr. GRANVILLE E. JONES. I would like to finish just one more paragraph, Mr. Speaker.

The SPEAKER. The Chair will extend sufficient time for one more paragraph, if the paragraph is not too long.

Mr. GRANVILLE E. JONES. Mr. Speaker, I would call to the attention of the Members of this House that on December 18, 1951, the General Assembly concurred in House Resolution 77, directing the Joint State Government Commission to study and investigate Un-American and subversive activities in the Commonwealth. This is another reason why we should not have a loyalty oath bill.

Mr. BOLTON. Mr. Speaker, I should like briefly to interrogate the gentleman from York, Mr. Seyler.

The SPEAKER. Will the gentleman yield for just a moment?

The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, how long will the interrogation take?

The SPEAKER. Will the gentleman state the extent of the interrogation he has in mind.

Mr. BOLTON. One question, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I yield for one question.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, yields for one question. Will the gentleman from York permit himself to be interrogated?

My. SEYLER. I shall, Mr. Speaker.

The SPEAKER. Might the Chair inquire how long the answer will take?

Mr. SEYLER. Mr. Speaker, it will depend on the question.

The SPEAKER. The gentleman from Montgomery, Mr. Bolton, will proceed.

Mr. BOLTON. Mr. Speaker, can Mr. Seyler tell me, is the American Civil Liberties Union of which Mr. Goldberg is the counsel the same Civil Liberties Union whose bail money has been refused by the Federal courts in New York in the various trials of communists held in that city?

Mr. SEYLER. I can answer that question, Mr. Speaker.



The answer is "no." That organization—I do not remember the name—it is the Congress of something—it has nothing to do with the American Civil Liberties Union.

Mr. BOLTON. I thank the gentleman.

Mr. FILO. Mr. Speaker, I am sorry if I did not make myself clear when I stated that one Amvet group in my district was opposed to Senate Bill 27, Printer's No. 615, and did not read the letter in full length. If Mr. Lopresti wishes, he can read the letter in full length.

I want it on record that they would be satisfied with the bill in its present form, and I voting for the measure.

Mr. ROSEN. Mr. Speaker, I am not going to take up time in debate but I would like to have my remarks in objection to this bill spread on the record.

Mr. Speaker; In order to clarify my position in opposition to S. 27, I want to state that I am opposed to "Loyalty Oaths" in principle and for the fact that they do not serve the purpose for which they are designed but are oppressive and stifle thought.

Morris Rosen.

Mr. SCHMIDT. Mr. Speaker, I feel that this matter is of such importance that full expression and debate should take place upon this floor. I feel quite certain that each and every one is anxious to get this session over with, but yet we are about to act upon a measure that for the first time in the history of this Commonwealth we have ever dared to present a bill of this nature for the decision of this Assembly.

We all know that there was not another bill before this Assembly that evoked such expressions pro and con as did Senate Bill 27. I feel that it deserves the deliberation—and I would say prayer—upon the part of each and every Member of this House before he casts his vote on this measure. And I feel quite certain that if each and every Member would vote his convictions, this bill would never pass; but that the vote which will be cast here today will be the result of pressure.

I say to you that the speech, the talk that was given to you today by the gentleman from York, Mr. Seyler, was one of the finest talks that I have ever had the privilege to hear upon the floor of this Assembly during the two sessions that I have been privileged to serve here. And I think that each and every one of you, before you make a decision on this case, should bear in mind and think very, seriously before you cast the vote that you intend to cast today. It is a most important vote. It is important to every citizen in this Commonwealth, because if you pass this bill today you are going to say that in the Commonwealth of Pennsylvania if you have chosen the profession of teaching or if you have chosen an avocation or vocation as a public servant, you are classifying yourself as a second class citizen of this Commonwealth because you and you alone are required to stand up and lift your hand to God and take an oath swearing that you are a loyal citizen of this Commonwealth, where each and every other citizen is exempt from such an oath.

I say to you it is most serious from the facts that were given to you by Mr. Seyler; most serious from the statements that I have made to you here today. And I want you to feel that when you do cast your vote you are casting it in all seriousness.

Mr. McINROY. Mr. Speaker, in case some of us other

teachers and ex-teachers in this Assembly might be misinterpreted as agreeing with Mr. Seyler on the other side and the gentleman who just spoke, I would like to say that not only I, but I have spoken with dozens of other teachers—we are of the opposite opinion.

I think there are times when many people are kind hearted but soft-headed. It is easy to sympathize with criminals. Remember the Lingbergh kidnapping case when Hauptman was about to be electrocuted, how people wrote all sorts of letters and even threatened Lindbergh and his family with violence. They are always for the under-dog.

I submit to you that a communist is a traitor and should be treated as a traitor. Mr. Seyler has taught history—I taught history at one time, too; but he was talking of other things when he mentioned the freedom of religion. Yes, we will agree with freedom of religion; but not freedom to overthrow our government. Our boys and other boys are fighting in Korea this very minute—the papers were filled with lists of prisoners yesterday and today, those imprisoned by the communists. This is a serious matter; it is not only a temporary thing; it is something to look forward to in the future.

I say the teachers do not object to this bill. And when you talk about this convicting on evidence; it must be legal evidence, and there are not going to be any "witch hunts" at all. I think the gentleman from Allegheny County was a little out of step when he said you can always trust those who are appointed in this government and who are elected in this government. Did any one in this group ever hear of Alger Hiss and some of the others who were appointed to government offices? Did we ever hear of those who stole our atomic secrets and sent them over to Russia? And there are many others who might do that.

No, any teacher in this Commonwealth who will not subscribe to this oath, or who can be proven to be subversive by legal evidence with all the safeguards they have been thrown around it, should be discharged. I do not fear for the teachers of Pennsylvania; neither are they fearing. They did not like the bill in its original form, some of them; but I am thinking of ourselves and all the rest of us. We need not fear this bill unless we are subversive ourselves.

Let us vote "yes" for the bill without fear or favor. It is a good bill.

Mr. CLAPPER. Mr. Speaker, I have listened very attentively to the various arguments that were given on this bill. I have the greatest of respect for my distinguished colleague from York, and I respect the manner in which he made his presentation on this bill, but I want to say that as a teacher myself it is a great pleasure for me this afternoon to cast my vote upon this bill.

My remarks shall be brief, but I want to make this one assertion, that I want to be an American now and as long as I live, and I want to say that in the schoolrooms of America we can still be free to speak as we like in our classes in history. I have no fear of any results coming from this bill. If in my discussion I should speak of communism as a good thing and not as one of the most poisonous isms that now exists, then I should be removed from my public position and be replaced by one who will continue to follow the teachings of those principles



that have been laid down by our heroic forefathers when our Constitution was founded.

I would call upon every Member this afternoon to cast his vote in favor of this great loyalty oath bill that will guarantee security to America now and forever.

Mr. SCHMIDT. Mr. Speaker, in reply to the last two addresses, I want to set the House right.

I was one of the sponsors of this bill that this House and the Senate passed that would have outlawed communism in this Commonwealth of Pennsylvania, and I say that I was sincere when that bill was introduced. I say that communism and communists should be outlawed.

I say further that any subversive, whether it be a communist, Nazi, Facist or whatever it may be, who teaches in the public schools of Pennsylvania or holds public office, can be handled under the subversive laws of the Commonwealth of Pennsylvania as they now exist.

I say further in reply to the statement made about Alger Hiss, that Alger Hiss was not found guilty under any loyalty oath bill; that Alger Hiss would have been one of the first to have taken a loyalty oath and thought that he could hide behind the cloak of a loyalty oath.

What you are doing here, if you pass this bill, is to provide protection for those whom you are trying to get at, but in so doing you are taking away from loyal American citizens privileges that those boys to whom you refer are now fighting for in ore and who have fought in past wars that this government has engaged in, those ways for which those boys are giving their lives today. The least that we here can do is to back them up in seeing to it that repressive legislation such as this is not made a part of the law of the Commonwealth of Pennsylvania.

Mr. TOMPKINS. Mr. Speaker, I think this bill has been as thoroughly debated as any measure I have seen in the time I have spent here in Harrisburg, both in the newspapers, leaflets and conversation on this floor. Therefore, whatever I might add to the arguments at this time would not add one whit to the changing of any opinions. You have already heard me express my opinions in connection with this bill. You know what the positions of the proponents of this bill are, and I now say that it is time to have a roll call vote and see where we stand.

Mr. WATKINS. Mr. Speaker, I will willingly yield to anyone else in the House if they have anything else to say. My statement will be very, very brief.

It always seems in every session, Mr. Speaker, the State Government Committee inherits a bill that causes a lot of commotion, and I suppose this is the bill.

We have had a lot of deliberation on the bill, and I want to thank the Committee for its action; I thank the Committee for the way it has deliberated.

The bill was brought here on the floor of the House on several occasions, as we know, and returned. I also want to thank those who got together in the various Committees and came to some conclusion as to what they thought was a good bill. Now we are ready for action on the bill.

Much has been said by the opposition that this bill seeks to destroy the fundamental principle of liberty and takes away freedom of speech for certain groups of our citizens. Generally the opponents have been more ferocious than the proponents, and consequently to some extent have

confused in the minds of a large percentage of our people of the Commonwealth just what this bill intends to do.

After very careful consideration of all the protests and hundreds of letters and hearings of groups and individuals, personally, in private and open hearing, I firmly believe that the bill takes no freedom from anyone. I would rather describe it as a freedom protective measure. It gives various groups involved a special privilege under our freedom which we have fought for and established down through the years. The freedom of opportunity to declare allegiance to a loyal cause which will help us to preserve our American way of life.

Perhaps this bill will not do all the things we intend it to do; but it will be, if passed, at least a step forward in assuring the citizens of our Commonwealth, including the members of our armed forces, that we intend to try to get rid of subversive persons in public offices, in the teaching profession and other employes in the state-aided institutions.

Mr. SMITH. Mr. Speaker, I do not intend to make a statement. I did intend to as everyone here knows. I was going to vote against this bill in its old form. I am going to vote for the bill and rather than take up the time of the House, I will, if the House will allow me, file my reasons at the time I vote why I am voting for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Andrews,	Gibson,	Lyons,	Robertson,
Banker,	Gleason,	Madden,	Rovansek,
Barkdoll,	Good,	Madigan,	Royer,
Baumunk,	Goodling,	Markley,	Rubin,
Bear,	Graybill,	Maxwell,	Sarra,
Beaver,	Greer,	Mazza,	Sax,
Beech,	Guarnieri,	McConnell,	Scanlon,
Berkstresser,	Gutendorf,	McCormack,	Schuster,
Blair,	Guthrie,	McCullough,	Scott,
Bloom,	Hagerty,	McDermitt,	Shotwell,
Bolton,	Hall,	McInroy,	Smith,
Bomberger,	Hamilton, R. K.,	McMillen,	Snider,
Bower,	Hamilton, W. H.,	McNally,	Sollenberger,
Brelsich,	Harney,	Metz,	Spencer,
Clear,	Haudenschild,	Mikula,	Stank,
Brown,	Headlee,	Miller, H. G.,	Stummel,
Byrne,	Helm,	Miller, J. C.,	Stoner,
Cella,	Hersch,	Mills,	Swartz,
Clapper,	Hewitt,	Moore, C. E.,	Taylor,
Clendenning,	Hocker,	Moore, H. A.,	Thompson, R. L.,
Conway,	Hunter,	Moran,	Tompkins,
Cooper,	Johnson,	Muldowney,	Toomey,
Corr,	Jones, P. F.,	Munley,	VanSant,
Costa,	Jones, T. H. W.,	Murray,	Varner,
Dakrlymple,	Jump,	Musto,	Verona,
Davis,	Kamyk,	Najaka,	Wachhaus,
Dennison,	Keller,	Naugle,	Wargo,
Dowling,	Kent,	Needham,	Waterhouse,
DuBols,	Kline,	Olsen,	Watkins,
Duffy,	Kohl,	Petroosky,	Weldner,
Dunn,	Kolankiewicz,	Pfaff,	Wescott,
Erb,	Kornick,	Pitzer,	Westrick,
Ewing,	Kratz,	Polaski,	Whalley,
Fenrich,	Kubacki,	Polen,	Wheeler,
Ferster,	Lederer,	Price, H. W. Jr.,	White,
Fillip,	Lelsey,	Price, R. A.,	Wilt,
Filo,	Leonard, W. C.,	Readinger,	Wood,
Firmstone,	Light,	Reagan,	Yeakel,
Flack,	Loftus,	Reidenbach,	Yetzer,
Frost,	Lopresti,	Reilly, J. M.,	Young,
Gaffney,	Lovett,	Rigby,	Ziegler,
Geer,	Lutty,	Riley, R. L.,	Sorg,

Speaker



## NAYS—18

Bucchin,	Limper,	Rose,	Tahl,
Hoggard,	Monroe,	Rosen,	Thompson. E. F.,
Jones, G. E.,	Penglase,	Schmidt,	Toll,
Jones, J. M.,	Pettigrew,	Seyler,	Welsh,
Leonard, L.,	Pichney,		

## NOT VOTING—19

Amarando,	Greenwood,	McKinney,	Shoemaker,
Boles,	Jenkins,	Mihm,	Swope,
Cochran,	Lafore,	Mintess,	Varallo,
Coyle,	Leven,	Peta,	Williams,
Dougherty,	McGee,	Reese,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## REASONS FOR VOTE

Mr. SMITH filed the following reason for his vote on Senate Bill 27:

You may recall that some weeks ago when we were considering Senate Bill 27, I voted to recommit it. At that time, the Bill was bad. I voted to recommit this Bill to the House State Government Committee, so that it could be amended to take out of it those objectionable features that, in my mind, made the Bill a poor piece of legislation.

I considered the Bill particularly bad in that it appeared to be directed at teaching groups—the teachers and professors in our Commonwealth. The Bill at that time was not in accord with American and democratic principles of government.

You may also recall that a few days ago, when we were again considering Senate Bill 27, I was still in favor of recommitting it to Committee because the amendments made to the Bill while in Committee did not remove all of the objectional features. But, today, after the amendments of yesterday, the Bill is in fairly good shape.

If I were compelled to vote on Senate Bill 27, in its last amended form (Printer's No. 672), as distinguished from its present form (Printer's No. 705), I would be compelled in all good conscience to vote against the Bill.

Today, Senate Bill 27, as amended, is simply a Loyalty Oath Bill, together with the procedure to carry out the terms and provisions of the Bill to make it workable. Today Senate Bill 27, as amended, does not effect any teachers group. The bill as now amended does not effect Teachers' Tenure. The bad features of the Bill, the features, to which I objected, have been removed. We now have a good Bill—a Loyalty Oath without the persecution.

Today, I am voting for the Bill.

As I read and understand Senate Bill 27, in its present form, it no longer contains any serious objectionable features. It is true, the Bill is not perfect—but what piece of legislation is perfect. The purpose of the Bill is excellent, and had we more days to spend in considering the Bill, in debating it, I believe we could improve on the Bill.

But now, we are in the last hours of this Session, and since I consider the objectives of this Bill to be proper and excellent, I am going to compromise and settle, and take the Bill in its present amended form and vote for it.

At present, because of the amendments offered yesterday, the Bill is nothing more than a Loyalty Bill. Currently, and for many months, the Bill was referred to as a "Loyalty Oath" or Loyalty Bill". But such a description of the Bill, in all its amended forms, except when it was first introduced, (Senate Bill 27, 27 Pink, Printer's No. 27) and in its present form (Printer's No. 705) was grossly unfair, and certainly incorrect. When introduced it was a loyalty oath bill, but once the Assembly started amending it, it became more than a mere loyalty oath Bill,—the amendments made to this Bill, made it truly obnoxious and grossly unjust to our citizens. It was a persecution Bill.

This Bill, as it now stands, is nothing more than a mere oath of loyalty, spelling out the procedure to be followed in enforcing its terms and provisions—so as to make it work efficiently, which procedure is already on our statute books.

Therefore, as I understand the Bill, I cannot realize how it would adversely affect anyone other than those few subversive individuals we aim to take out of our Government.

I still believe it is a shame to demand that every public employee take a loyalty oath, just to catch a few—but communism and subversive activity, even if on the part of one person out of a lot of our ten and a half million citizens, must be eradicated and its spread brought to an immediate halt.

Therefore, for these reasons, and for a few more, which for the sake of brevity, I will not here state, I vote "YES" on final passage of Senate Bill 27.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only and authorizing licenses and tags for groups of counties

The first section was read.

On the question,

Will the House agree to the section?

Mr. GOODLING offered the following amendment:

Amend Sec. 1 (Sec. 501) page 3, lines 13 and 14 by striking out the words "or any group of contiguous counties".

Amend Sec. 1 (Sec. 501), page 4, lines 5 to 8 inclusive, by striking out the words "where the license covers a group of coun-" in line 5 and all of lines 6, 7, and 8.

Amend Sec. 1 (Sec. 501), page 5, lines 1 and 2 by striking out the words "or in any group of counties".

Amend Sec. 1 (Sec. 501), page 5, line 4 by striking out the words "or group of counties".

Amend Sec. 1 (Sec. 501), page 6, lines 3 and 4 by striking out the words "or of any county in the group of counties".

They were agreed to.

The section was agreed to as amended.

The title was read.



On the question,

Will the House agree to the title?

Mr. GOODLING offered the following amendment:

Amend Title, page 1, last 3 lines of Title, by striking out the words "and authorizing licenses and tags for groups of counties".

It was agreed to.

The title was agreed to as amended.

And said bill having read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture

The first section was read.

On the question,

Will the House agree to the section?

Mr. GOODLING offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Section 608" and inserting in lieu thereof "Subsection (b) of section 501."

Amend Sec. 1, page 2, line 4, by inserting after the word "thereto" the following "as amended by the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 810)."

Amend Sec. 1, page 2, line 5, by inserting after the word "hereby" the following "further."

Amend Sec. 1 (Sec. 608), page 2, lines 6 to 12 both inclusive by striking out all of said lines, and inserting in lieu thereof the following "Section 501. Open Seasons. After investigation, or information otherwise obtained by the commission, as to the annual game supply, the commission may, by appropriate rules and regulations, a summary of which shall be published as hereinafter specified, fix seasons, shooting hours, and daily, season and possession limits, or remove protection and declare an open season; or increase, reduce or close seasons, or increase or reduce bag limits, for all species of game birds and game animals throughout the Commonwealth, or in any part thereof, or limit the number of hunters in any designated area and prescribe the methods of hunting therein, when in its opinion, such action is necessary to assure the maintenance of an adequate supply of such species, or when an unbalanced sex ratio exists which in its opinion should be corrected, or when, in the opinion of the commission, such additional open season will not jeopardize the future supply of game.

(b) Raccoons; Not to Be Trapped; Exceptions Removal of Protection, Etc. Except in defense of person or property, it is unlawful for any person to take, or attempt to take, raccoons through the use of traps or deadfalls, except in such county or counties as the commission may, by proper resolution, public notice of which shall be given as hereinafter provided, declare open to trapping when in its opinion raccoons are sufficiently abundant to justify such trapping, but the provisions of this subsection shall not be construed to prevent any bona fide occupant of a farm which lies within any county not declared open to general public raccoon trapping, who is a citizen of the United States and actually resides upon and cultivates such farm, or any immediate member of his family, or regularly hired help of such occupant, if any such person

is a citizen of the United States, actually residing upon and cultivating such farm, from trapping raccoons thereon including the woodlands connected therewith as a part thereof, so long as any such person complies with the provisions of this act or the rules and regulations adopted thereunder governing trapping methods, seasons and bag limits, unless the commission has denied or this act does deny to any such person the right to hunt or trap anywhere in this Commonwealth."

Amend Sec. 1 (Sec. 608), page 2, line 13, by striking out "(b)"

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. GOODLING offered the following amendment:

Amend Title, page 1, line 1 of Title, by striking out "Section 608."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 897, entitled

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia by amendments or supplements to the Philadelphia Home Rule Charter

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

## COMMITTEE GRANTED PERMISSION TO MEET DURING SESSION

Mr. LOFTUS asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

## BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of Senate Bill No. 41 as follows:

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1034) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 Any school employe of any school district who shall have been regularly employed by one or more school districts or vocational school districts within this Commonwealth for any period prior to the time when such employe volunteered or was called up for service in the armed forces of the United States of America in time of war or during a state of national emergency so proclaimed by the President of the United States or by action of Congress prior to the first day of September one thousand fifty-one and who upon discharge from military service was employed by any school district or vocational school district within this Commonwealth other than the district by which employed immediately prior to entrance in to the armed forces of the United States shall be entitled to have full credit for each year or fraction thereof he spent in the armed forces of the United States upon his payment to the School Employes' Retirement Fund his total accumulated deductions in the amount they would have been had such employe remained in the service of a school district during the period he served in the armed forces of the United States together with an additional amount equivalent to the amount of employer contribution other wise required for a period equal to the period of such military service Such back payment may either be paid in a lump sum or by monthly payroll deductions as may be approved by the School Employes' Retirement Board

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraa,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,*	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Dougherty,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,

Gleason  
Good.

Madden,  
Madigan.

Robertson,  
Rose,  
Rosen.

Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 742, as follows:

An Act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein and for the transfer during disasters and emergencies of such auxiliary police members of the regular police forces and police equipment thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words when used in this act shall have the following meanings

(1) "Municipality" means city borough town and township

(2) "Chief of police" means the chief or head of the police force of any municipality

Sections 2 (a) The chief of police of any municipality may nominate persons as auxiliary policemen who have satisfactorily completed such training as he may prescribe

(b) All such persons so nominated shall before they enter upon their duties be confirmed and sworn by the mayor of the city the burgess of the borough or town or the chairman of commissioners or supervisors of the townships

(c) Auxiliary policemen shall serve at the pleasure of the chief of police of the municipality nominating them

Section 3 No person shall be nominated affirmed or sworn as an auxiliary policeman under this act who is not a citizen of the United States or who advocates or has advocated a change by force or violence in the constitutional form of government of the United States or in this State or the overthrow of any government in the United States by force or violence or who has been convicted of or is under indictment or information charging any subversive act against the United States or felony Each person who is appointed to serve as an auxiliary policeman shall before entering upon his duties take an oath in writing before a person authorized to administer oaths in this State which oath shall be substantially as follows

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies foreign and domestic that I will bear true faith and allegiance to the same that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties upon which I am about to enter And I do further swear (or affirm) that I do not advocate group or combination of persons that advocates the overthrow of the Government of the United States or of this State by force or violence and that during such time as I am a member of the auxiliary police I will not advocate nor become a member nor an affiliate of any organization group or combination of persons that advocates the overthrow of the Government of the United States or of this State by force or violence"



Section 4 The mayor of any city the burgess of any borough or town and the chairman of commissioners or supervisors of any township may call the auxiliary police to active duty during any period of distress disaster or emergency except in cases of labor disturbances

Section 5 (a) Auxiliary policemen on active duty shall have the same powers as regular police officers of the municipality in which they are serving and shall perform such other duties as may be assigned to them by the chief of police

(b) Auxiliary policemen when on active duty in a municipality other than the one in which appointed shall have the same powers in such municipality as regular police officers thereof

(c) The powers herein conferred may be exercised by auxiliary policemen only after they report for active duty and until they are relieved from duty

Section 6 Upon the occurrence of any disaster or emergency other than a labor disturbance in any municipality the chief executive officer thereof may request the Governor for the emergency assignment of police equipment auxiliary police and members of the regular police forces from other municipalities for the period of such emergency If the Governor approves such request he shall direct the Commissioner of the Pennsylvania State Police to order the chief executive officers of as many municipalities as may be necessary to transfer and such officials shall transfer police equipment auxiliary police and members of the regular police force to the requesting municipality in sufficient numbers and amounts to aid in meeting the disaster or emergency During such period the transferred police and equipment shall be under the jurisdiction of the chief of police of the municipality to which they are transferred Such transferred police shall have the same powers as regular police officers of the municipality to which they are transferred

Section 7 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,
Andrews,	Graybill,	Maxwell,
Banker,	Greenwood,	Mazza,
Barkdoll,	Greer,	McConnell,
Baumunk,	Guarnieri,	McCormack,
Bear,	Gutendorf,	McCullough,
Beaver,	Guthrie,	McDermitt,
Beech,	Hagerty,	McGee,
Berkstresser,	Hall,	McInroy,
Blair,	Hamilton, R. K.,	McKinney,
Bloom,	Hamilton, W. H.,	McMillen,
Boles,	Harney,	McNally,
Bolton,	Haudenschild,	Metz,
Bomberger,	Headlee,	Mihm,
Bower,	Helm,	Mikula,
Brelsch,	Hersch,	Miller, H. G.,
Breth,	Hewitt,	Miller, J. C.,
Brown,	Hocker,	Mills,
Bucchin,	Hoggard,	Mintess,
Byrne,	Hunter,	Monroe,
Cella,	Jenkins,	Moore, C. E.,
Clapper,	Johnson,	Moore, H. A.,
Clendening,	Jones, G. E.,	Moran,
Cochran,	Jones, J. M.,	Muldowney,
Conway,	Jones, P. F.,	Munley,
Cooper,	Jones, T. H. W.,	Murray,
Corr,	Jump,	Musto,
Costa,	Kamyk,	Najaka,
Coyie,	Keller,	Naugle,
Dalrymple,	Kent,	Needham,
Davis,	Kline,	Olsen,
Dennison,	Kohl,	Penglase,
Dougherty,	Kolankiewicz,	Peta,
Dowling,	Kornick,	Petrosky,
DuBois,	Kratz,	Pettigrew,
Duffy,	Kubacki,	Pfaff,

Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillo,	Leven,	Price, R. A.,	Wheeler,
Firmstone,	Light,	Readinger,	White,
Flack,	Limper,	Reagan,	Williams,
Frost,	Loftus,	Reese,	Wilt,
Gaffney,	Lopresti,	Reidenbach,	Wood,
Geer,	Lovett,	Reilly, J. M.,	Yeakel,
Gibson,	Lutty,	Rigby,	Yetzer,
Gleason,	Lyons,	Riley, R. L.,	Young,
Good,	Madden,	Robertson,	Ziegler,
	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 769, as follows:

An Act requiring all new buildings or additions to existing buildings which are to be seven stories or more in height to be equipped during the course of construction with a hoist or hoisting device or equipment with the required safety devices for the use of building construction workmen imposing certain duties upon the Department of Labor and Industry and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Hoisting requirements hoist or hoisting device or equipment required for new buildings or additions to existing buildings started after the effective date of this act it shall be unlawful for any person to construct or make an addition to a building which shall upon completion be seven stores or more in height unless during the course of construction of the building such person shall erect for the use of the building construction workers employed in connection with the construction of such building or an addition a temporary or permanent hoist or hoisting device or equipment with the required safety devices for the transportation of workmen employed on or above the seventh floor and materials in accordance with the regulations of the Department of Labor and Industry for temporary or permanent hoisting devices or equipment

Section 2 Definition Person shall mean any natural person corporation partnership or association

Section 3 Enforcement It shall be the duty of the Department of Labor and Industry to enforce the provisions of this act

Section 4 Procedure in Prosecutions Prosecutions for violations of the provisions of this act or the rules and regulations of the department shall be instituted by the department and shall be in the form of summary proceedings before an alderman magistrates or justice of the peace upon conviction after a hearing the penalties hereinafter provided for shall be imposed and shall be final unless an appeal be taken to a court of proper jurisdiction in the manner prescribed by law

Section 5 Penalties any person who shall violate any of the provisions of this act or the rules and regulations of the department as herein provided for shall for the first offense be penalized by a fine or not more than one hundred dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more

than ten days and for each subsequent offense shall be penalized by a fine of not more than two hundred dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than thirty days

All fines collected under this act shall be forwarded to the Department of Labor and Industry who shall transmit the same to the State Treasury through the Department of Revenue

Section 6 Effective Date The provisions of this act shall become effective ninety (90) days after the date of its final enactment and shall apply only to new construction or any additions begun thereafter

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenig,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Kamyk,	Musto,	Toll,
Corr,	Keller,	Najaka,	Tompkins,
Costa,	Jump,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
Duffy,	Lafore,	Pfaff,	Waterhouse,
Dunn,	Kubacki,	Pichney,	Watkins,
Erb,	Lederer,	Pitzer,	Weidner,
Ewing,	Leisey,	Polaski,	Welsh,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Filip,	Leven,	Price, R. A.,	Whalley,
Filo,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,

Speaker

#### NAYS—1

DuBois,

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

### BILLS ON THIRD READING

#### BILL PASSED OVER

There being no objection

House Bill No. 106, Printer's No. 1145

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 565, as follows:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight thousand five hundred dollars (\$8500) is hereby specifically appropriated to the Department of Health for the purpose of providing vaccine for the treatment of persons who may be assumed to be in danger of hydrophobia or rabies by reason of having been bitten by or having had probable infectious contact with an animal believed to have been suffering from said disease and who would find it a financial handicap to purchase it themselves Such vaccine shall not be furnished in cities where dog licenses fees are paid into the city treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Smith,
Boles,	Harney,	McNally,	Snider,
Bolton,	Haudenschild,	Metz,	Shoemaker,
Bomberger,	Headlee,	Mihm,	Shotwell,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenig,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,



Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reagan,	Wilt,
Frost,	Loprestf,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lyons,	Rigby,	Yetzer,
Gibson,	Lutty,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1308, as follows:

An Act to further amend sections two and seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further defining the term "municipality" to include joint-county departments of health by defining the term "joint-county health commission" and by providing that joint-county departments of health may join the retirement system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" as last amended by the acts approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 265) the fifth day of June one thousand nine hundred forty-seven (P. L. 434) the twelfth day of June one thousand nine hundred forty-seven (P. L. 601) is hereby further amended to read as follows:

Section 2 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Board" the Municipal Employees' Retirement Board

"Municipality" a city borough town township county institution district [or] municipal authority or joint-county department of health

"Joint-county health commission" the combined boards of county commissioners of the several counties participating in a joint-county department of health

"Municipal Employee" a person holding an office or position under a municipality an institution supported and maintained by a municipality or under a municipal authority in any capacity whatever employed and paid on a yearly or monthly or per diem basis or employed and paid by the municipality or municipal authority with its funds or through any separate institution supported and maintained through trustees or otherwise by the municipality The term shall not include officers and employees paid wholly on a fee basis

"Member" a municipal employee who has become a member of the Municipal Employees' Retirement System established by this act

"Original Member" a municipal employee who was a municipal employee at the date the municipality by which he is employed joined the retirement system established by this act

"New Member" a municipal employee who first becomes a municipal employee after the date the municipality by which he is employed joined the retirement system established by this act

"Contributor" a municipal employee who has accumulated deductions standing to his credit in the member's account of the fund created by this act

"Beneficiary" a person who was a municipal employee but has retired and is receiving a retirement allowance as provided in this act

"Prior Service" all service as a municipal employee completed at the time the municipality by which he is or was employed elected to join the retirement system established by this act or the same municipality under a prior name or classification unless the municipality has elected to limit to ten years the period of such service

"Prior Salary" the annual salary or compensation earned by a municipal employee and paid by the municipality during the year immediately preceding the date the municipality by which he is employed joined the retirement system established by this act in computing prior salary if the amount thereof shall exceed four thousand dollars (\$4,000) it shall for the purpose of this act be limited to four thousand dollars (\$4,000)

"Superannuation Retirement Age" sixty-five years of age or upwards

"Final Salary" the average annual salary or compensation earned by a municipal employee and paid by the municipality during the last five years immediately preceding retirement or if not so long employed then the average annual salary or compensation paid during the whole period of such employment In computing final salary if the amount thereof shall exceed four thousand dollars (\$4,000) it shall for the purpose of this act be limited to four thousand dollars (\$4,000)

"Accumulated Deductions" the total amount deducted from the salary or compensation of the contributor and paid over by the municipality or paid by the municipal employee or from any existing pension or retirement system directly into the retirement fund and credited to the member's account together with regular interest thereon

"Regular Interest" interest at two and one-half per cent per annum compounded annually and in case of interest earnings in excess of two and one-half per cent shall mean the interest actually earned on investments in any year

"Municipality Annuity" that portion of the retirement allowance derived from contributions made by the municipality

"Member's Annuity" that portion of the retirement allowance derived from the accumulated deductions of the municipal employee

"Retirement Allowance" the municipal annuity plus the member's annuity



"Fund" the Municipal Employees' Retirement Fund created by this act

Section 2 Section seven of the said act as last amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 601) is hereby further amended to read as follows

Section 7 Election by Municipalities to Join Retirement System Any municipality may elect by ordinance or resolution adopted by the tax levying body or in the case of municipal authorities by the board of such municipal authority or in the case of joint-county departments of health by the joint-county health commission to join the retirement system established by this act In the case of townships of the second class no such resolution shall be adopted except by unanimous vote of all three supervisors

In the case of joint-county departments of health the decision to join such retirement system may also be made (1) by a vote of the electors in each participating county on the question of whether the joint-county department of health shall join the retirement system or (2) by a resolution of the county commissioners of one or more of the participating counties and by a vote of the electors in the remaining counties The county commissioners in any participating county may and upon petition of electors in such county equal to at least ten per centum of the registered electors of the county shall submit the question of whether the joint-county department of health shall join the retirement system to the voters of the county at any municipal or general election in the same manner as other questions are submitted to the electors under the Election Code of the Commonwealth If in two or more of the participating counties the question of whether the joint-county department of health shall join such retirement system is submitted at an election such question shall be submitted in all such counties in the same year If all the participating counties vote on the question at an election and the majority of the electors voting on the question in each county vote in favor thereof the joint-county health commission shall adopt a resolution electing to join such system If one or more of the participating counties elect to join a retirement system by resolution of the county commissioners and the remaining counties elect to join by vote of a majority of the electors voting on the question in each county the joint-county health commission shall adopt a resolution electing to join such system If the electors of any participating county vote against the retirement system then no further action shall be taken by the joint-county health commission or by the participating county for a period of two years

Any other municipality by action of its tax levying body may and upon petition of electors equal to at least ten per centum of the registered electors of the municipality shall submit the question of joining such retirement system to the voters of the municipality at any municipal or general election in the same manner as other questions are submitted to the electors under the Election Code of the Commonwealth If the majority of the electors voting on the question vote in favor thereof the tax levying body shall adopt an ordinance or resolution electing to join such system If the electors vote against joining the system then no further action shall be taken in the municipality for a period of two years

A duly certified copy of any such ordinance or resolution electing to join the retirement system shall be filed with the State Employees' Retirement Board until the board created by this act has been established and thereafter with the board created by this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Goodling,	Markley,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstreser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudensfield,	Metz,	Smith,
Bomberger,	Headlee,	Milhm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelsach,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnar,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Relly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1430 as follows:

An Act authorizing the Pennsylvania Aeronautics Commission to expand State funds for civil air patrol aviation education training aids and maintenance of civil air patrol aircraft

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Aeronautics Commission is hereby authorized to expend State funds for the purchase of civil air patrol aviation education training aids books and equipment to defray maintenance and hangers rents of "on-loan" United States Air Force aircraft to purchaes



maintenance supplies and equipment for the communications network for the civil air patrol

Section 2 No expenditures of State funds for such purposes shall be made unless a purchase order is first approved by the Pennsylvania Aeronautics Commission Said funds to be under jurisdiction and control of the commission

Section 3 For the purposes of this act no expenditure of State funds shall be authorized by the Pennsylvania Aeronautics Commission unless the purchase is specifically for the Civil air patrol aviation education training aids books and equipment to defray maintenance and hanger rent "on-loan" United States Air Force aircraft of 190 horsepower or less maintenance supplies and equipment for civil air patrol communications network and such administrative cost as may be approved by the commission

Section 4 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarraff,
Barkdoll,	Guarnieri,	McDermitt,	Sax,
Baumunk,	Gutendorf,	McGee,	Scanlon,
Bear,	Guthrie,	McCullough,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Boles,	Harney,	Metz,	Shotwell,
Bolton,	Haudenschild,	Mihm,	Smith,
Bomberger,	Headlee,	Mikula,	Snider,
Bower,	Helm,	Miller, H. G.,	Sollenberger,
Breisch,	Hersch,	Miller, J. C.,	Spencer,
Breth,	Hewitt,	Mills,	Stank,
Brown,	Hocker,	Mintess,	Stimmel,
Bucchin,	Hoggard,	Monroe,	Stoner,
Byrne,	Hunter,	Moore, C. E.,	Swartz,
Cella,	Jenkins,	Moore, H. A.,	Swope,
Clapper,	Johnson,	Moran,	Tahl,
Clendenen,	Jones, G. E.,	Muldowney,	Taylor,
Cochran,	Jones, J. M.,	Munley,	Thompson, E. F.,
Conway,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglaise,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
Duffy,	Kubacki,	Praff,	Waterhouse,
Dunn,	Lafore,	Pichney,	Watkins,
Erb,	Lederer,	Pitzer,	Weidner,
Ewing,	Lelsey,	Polaski,	Welsh,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Flip,	Levin,	Price, R. A.,	Whalley,
Filo,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,
	Maxwell,	Rovansek,	Speaker

#### NAYS—1

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordeded, That the Clerk present the same to the Senate for concurrence.

#### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. REAGAN asked and obtained permission for the Committee on Townships to meet during the session of the House.

#### BILLS ON THIRD READING

##### BILLS PASSED OVER

There being no objection,

House Bill No. 1551, Printer's No. 1184,

House Bill No. 1742, Printer's No. 1149 and

Senate Bill No. 187, Printer's No. 720

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 603, as follows:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When the Governor elect and the Lieutenant-Governor elect are to be sworn into office the oath or affirmation required by the constitution shall be administered to each by one of the justices of the Supreme Court or by a judge of a court of record learned in the law or by any person authorized to administer oaths

Section 2 The following parts of acts are hereby repealed to the extent hereinafter specified

(1) Section three of the act approved the nineteenth day of March one thousand eight hundred four (P. L. 330) entitled "An act to regulate the administering of certain Oaths" absolutely

(2) Section two of the act approved the twenty-fourth day of March one thousand eight hundred seventy-four (P. L. 48 No. 7) entitled "An act providing for the election of lieutenant-governor and fixing his salary" in so far as it provides for the administration of the oath of office to the Lieutenant-Governor elect

All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,

Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelschi,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 647, as follows:

An Act to further amend Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards and commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers and fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all

other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salaries of the members of the Pennsylvania Securities Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 776) is hereby further amended to read as follows

Section 429 Pennsylvania Securities Commission The Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking ex officio

Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members A vacancy on the commission shall not impair the right of a quorum to exercise all the powers and preform all the duties of the commission

The Governor shall designate one of the members of the commission as the chairman thereof and the Secretary of Banking with the approval of the Governor shall appoint a secretary who shall receive such salary as the Secretary of Banking with the approval of the Governor shall determine

The chairman of the commission shall receive a salary at the rate of [eight thousand five hundred] ten thousand five hundred dollars per annum The other members of the commission except the Secretary of Banking shall receive salaries at the rate of [eight thousand] ten thousand dollars per annum

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Marklev,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,



Bower,	Helm,	Mikula,	Sollenberger,
Brelsch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Mills,	Stank,
Brown,	Hocker,	Mintess,	Stimmel,
Bucchin,	Hoggard,	Monroe,	Stoner,
Byrne,	Hunter,	Moore, C. E.,	Swartz,
Cella,	Jenkins,	Moore, H. A.,	Swope,
Clapper,	Johnson,	Moran,	Tahl,
Clendenning,	Jones, G. E.,	Muldowney,	Taylor,
Cochran,	Jones, J. M.,	Munley,	Thompson, E. F.,
Conway,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Musto,	Toll,
Corr,	Jump,	Najaka,	Tompkins,
Costa,	Kamyk,	Naugle,	Toomey,
Coyle,	Keller,	Needham,	VanSant,
Dalrymple,	Kent,	Olsen,	Varallo,
Davis,	Kline,	Penglase,	Varner,
Dennison,	Kohl,	Peta,	Verona,
Dougherty,	Kolankiewicz,	Petrosky,	Wachhaus,
Dowling,	Kornick,	Pettigrew,	Wargo,
DuBols,	Kratz,	Pfaff,	Waterhouse,
Duffy,	Kubacki,	Pichney,	Watkins,
Dunn,	Lafore,	Pitzer,	Weidner,
Erb,	Lederer,	Polaski,	Welsh,
Ewing,	Leisey,	Polen,	Wescott,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leonard, W. C.,	Price, R. A.,	Whalley,
Filip,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reidenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Rigby,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,

Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 801, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employees to make up back payments to the retirement system from the time they enter school service and securing to such employees the full benefits of the retirement system from the time they enter school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and con-

tributing employees defining the uses thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 752) is hereby further amended by adding immediately following subsection 6.1 a new subsection to read as follows

6.2 Employees who desire to receive credit for school service rendered prior to the passage of this amendment may pay in addition to the regular contribution required under clause six of this section into the fund created by the act through the Department of Revenue a sum equal to all the back payments which such employees would have made had he or she become a member of the retirement association at the time of his or her employment Payment of such back payments shall entitle such contributor to all rights and benefits which would have accrued had the back payment been made in the regular course of employment Such back payments shall be paid by the employee before the thirtieth day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarrafa,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger
Brelsch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBols,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,



Gibson,  
Gleason,  
Good

Lyons,  
Madden,  
Madigan.

Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 867, as follows:

An Act to add section 2315.2 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XXIII of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding after section 2315.1 thereof a new section to read as follows

Section 2315.2 Utility Services for State Institutions For the purpose of providing utility services for State institutions the department may execute such agreements and contracts as it may seem necessary therefor with any

political subdivision or any authority to provide utility services and for defraying the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority or political subdivision for the purpose of acquiring holding constructing improving maintaining and operating sewage systems water supply systems electric power gas steam or other utility systems

Payment of the costs of such expenses charges and services shall be made from appropriations to the department for such purposes in accordance with the agreement made by the department

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Bersich,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lyons,	Rigby,	Yetzer,
Gibson,	Lutty,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate



with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 875, as follows:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person having the desire to provide for the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania through the solicitation of private capital may form an association for such purposes Such association shall have as its officers a president secretary and treasurer and such others as may be desirable It shall register with the Department of Public Instruction and comply with the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" and its amendments notwithstanding any exceptions in such act

Section 2 Such association may do all things necessary and relevant to soliciting donations of private capital contracting for and erecting such memorial chapel The plans for such chapel shall be first approved by the Department of Property and Supplies and the Secretary of Health and the location of the building on the grounds of the institution shall be approved by the Secretary of Health

Section 3 In such memorial chapel as a permanent part thereof there shall be a bronze plaque listing the names of the persons in whose memory the donations toward the erection of the chapel are made

Section 4 Upon erection of such memorial chapel the Secretary of Health on behalf of the Commonwealth of Pennsylvania is hereby authorized and empowered to accept the same

Section 5 Such acceptance shall be made in such manner and in such form as is approved by the Department of Justice

Section 6 Upon acceptance the Department of Health shall have full control supervision and management thereof for use in connection with the State tuberculosis sanatorium at Hamburg Pennsylvania

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando.	Goodling.	Maxwell.	Rovansek.
Andrews.	Graybill.	Mazza.	Royer.
Banker.	Greenwood.	McConnell.	Rubin.
Barkdoll.	Greer.	McCormack.	Sarrafi.
Baumunk.	Guarnieri.	McCullough.	Sax.
Bear.	Gutendorf.	McDermitt.	Scanlon.
Beaver.	Guthrie.	McGee.	Schmidt.
Beech.	Hagerty.	McInroy.	Schuster.
Berkstresser.	Hall.	McKinney.	Scott.
Blair.	Hamilton, R. K.	McMillen.	Seyler.
Bloom.	Hamilton, W. H.	McNally.	Shoemaker.
Boles.	Harney.	Metz.	Shotwell.
Bolton.	Haudenschild.	Mihm.	Smith.
Bomberger.	Headlee.	Mikula.	Snider.
Bower.	Helm.	Miller, H. G.	Sollenberger.
Brelsch.	Hersch.	Miller, J. C.	Spencer.
Breth.	Hewitt.	Mills.	Stank.

Brown.	Hocker.	Mintess.	Stimmel.
Bucchin.	Hunter.	Monroe.	Stoner.
Byrne.	Jenkins.	Moore, C. E.	Swartz.
Cella.	Johnson.	Moore, H. A.	Swope.
Clapper.	Jones, G. E.	Moran.	Tahl.
Clendening.	Jones, J. M.	Muldowney.	Taylor.
Cochran.	Jones, P. F.	Munley.	Thompson, E. F.
Conway.	Jones, T. H. W.	Murray.	Thompson, R. L.
Cooper.	Jump.	Musto.	Toll.
Corr.	Kamyk.	Najaka.	Tompkins.
Costa.	Keller.	Naugle.	Toomey.
Coyle.	Kent.	Needham.	VanSant.
Dalrymple.	Kline.	Olsen.	Varallo.
Davis.	Kohl.	Penglase.	Varnier.
Dennison.	Kolankiewicz.	Peta.	Verona.
Dougherty.	Kornick.	Petrosky.	Wachhaus.
Dowling.	Kratz.	Pettigrew.	Wargo.
DuBois.	Kubacki.	Pfaff.	Waterhouse.
Duffy.	Lafore.	Pichney.	Watkins.
Dunn.	Lederer.	Pitzer.	Weldner.
Erb.	Leisey.	Polaski.	Welsh.
Ewing.	Leonard, L.	Polen.	Wescott.
Fenrich.	Leonard, W. C.	Price, H. W. Jr.	Westrick.
Ferster.	Leven.	Price, R. A.	Whalley.
Filip.	Light.	Readinger.	Wheeler.
Fillo.	Limper.	Reagan.	White.
Firmstone.	Loftus.	Reese.	Williams.
Flack.	Lopresti.	Reidenbach.	Wilt.
Frost.	Lovett.	Reilly, J. M.	Wood.
Gaffney.	Lutty.	Rigby.	Yeakel.
Geer.	Lyons.	Riley, R. L.	Yetzer.
Gibson.	Madden.	Robertson.	Young.
Gleason.	Madigan.	Rose.	Ziegler.
Good.	Markley.	Rosen.	Sorg.

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 877, as follows:

An Act fixing the fees and mileage of the corner in counties of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the corner of each county of the fourth class shall be as follows For viewing a dead body eleven dollars summoning and qualifying inquest drawing and returning inquisition seven dollars fifty cents summoning and qualifying each witness one dollar to be paid out of the goods chattels lands or tenements of the slayer (in cases of murder or manslaughter) if any he hath if otherwise by the county with mileage at the rate of ten cents for each mile circular travel from the court house to the place of viewing the body executing any process or writs of any kind the same fees as are allowed to the sheriff and the same mileage

Section 2 Section XIX of the act approved the twenty-eighth day of March one thousand eight hundred fourteen (P. L. 352) entitled "An act establishing a Fee bill" as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 168) is hereby repealed as to counties of the fourth class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

## YEAS—204

Amarando,	Markley,	Madigan,	Rovansek.
Andrews,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarrafa,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Boiton,	Harney,	Metz,	Smith,
Bomberger,	Haudenschild,	Mihm,	Snider,
Bower,	Headlee,	Mikula,	Sollenberger,
Breisch,	Helm,	Miller, H. G.,	Spencer,
Breth,	Hersch,	Miller, J. C.,	Stank,
Brown,	Hewitt,	Mills,	Stimmel,
Bucchin,	Hocker,	Mintess,	Stoner,
Byrne,	Hoggard,	Monroe,	Swartz,
Cella,	Hunter,	Moore, C. E.,	Swope,
Clapper,	Jenkins,	Moore, H. A.,	Tahl,
Clendenning,	Johnson,	Moran,	Taylor,
Cochran,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cooper,	Jones, P. F.,	Murray,	Toll,
Corr,	Jones, T. H. W.,	Musto,	Tompkins,
Costa,	Jump,	Najaka,	Toomey,
Coyle,	Kamyk,	Naugle,	VanSant,
Dalrymple,	Keller,	Needham,	Varallo,
Davis,	Kent,	Olsen,	Varnar,
Dennison,	Kline,	Penglase,	Verona,
Dougherty,	Kohl,	Peta,	Wachhaus,
Dowling,	Kolankiewicz,	Petrosky,	Wargo,
Duffy,	Kornick,	Pettigrew,	Waterhouse,
Dunn,	Kratz,	Pfaff,	Watkins,
Erb,	Kubacki,	Pichney,	Weidner,
Ewing,	Lafore,	Pitzer,	Welsh,
Fenrich,	Lederer,	Polaski,	Wescott,
Ferster,	Leisey,	Polen,	Westrick,
Filip,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fillo,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Firmstone,	Leven,	Readinger,	White,
Flack,	Light,	Reagan,	Williams,
Frost,	Limper,	Reese,	Wilt,
Gaffney,	Loftus,	Reidenbach,	Wood,
Geer,	Lopresti,	Reilly, J. M.,	Yeakel,
Gibson,	Lutty,	Rigby,	Yetzer,
Gleason,	Lyons,	Riley, R. L.,	Young,
Good,	Madden,	Robertson,	Ziegler,
		Rosen,	Sorg,
			Speaker

## NAYS—1

DuBois,

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate 881, as follows:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and

providing for their construction and maintenance at the expense of the Commonwealth" as amended is hereby further amended by adding a new route in Bucks County

## Morrisville Borough

Route 09158 Extending Route 09158 Beginning at a point on the Falls Township-Morrisville borough line thence northerly on Pennsylvania avenue to an intersection with Route 150 at Pennsylvania and Philadelphia avenues in the borough of Morrisville Bucks county a distance of about 0.53 of a mile

Section 2 This act shall become effective on the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rosen,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarrafa,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Schmidt,
Boiton,	Headlee,	Mihm,	Shotwell,
Bomberger,	Helm,	Mikula,	Smith,
Bower,	Hersch,	Miller, H. G.,	Snider,
Breisch,	Hewitt,	Miller, J. C.,	Sollenberger,
Breth,	Hocker,	Mills,	Spencer,
Brown,	Hoggard,	Mintess,	Stank,
Bucchin,	Hunter,	Monroe,	Stimmel,
Byrne,	Jenkins,	Moore, C. E.,	Stoner,
Cella,	Johnson,	Moore, H. A.,	Swartz,
Clapper,	Jones, G. E.,	Moran,	Swope,
Clendenning,	Jones, J. M.,	Muldowney,	Tahl,
Cochran,	Jones, P. F.,	Munley,	Taylor,
Conway,	Jones, T. H. W.,	Murray,	Thompson, E. F.,
Cooper,	Jump,	Musto,	Thompson, R. L.,
Corr,	Kamyk,	Najaka,	Toll,
Costa,	Keller,	Naugle,	Tompkins,
Coyle,	Kent,	Needham,	Toomey,
Dalrymple,	Kline,	Olsen,	VanSant,
Davis,	Kohl,	Penglase,	Varallo,
Dennison,	Kolankiewicz,	Peta,	Varnar,
Dougherty,	Kornick,	Petrosky,	Verona,
Dowling,	Kratz,	Pettigrew,	Wachhaus,
DuBois,	Kubacki,	Pfaff,	Wargo,
Duffy,	Lafore,	Pichney,	Waterhouse,
Dunn,	Lederer,	Pitzer,	Watkins,
Erb,	Leisey,	Polaski,	Weidner,
Ewing,	Leonard, L.,	Polen,	Welsh,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wescott,
Ferster,	Leven,	Price, R. A.,	Westrick,
Filip,	Light,	Readinger,	Whalley,
Fillo,	Limper,	Reagan,	Wheeler,
Firmstone,	Loftus,	Reese,	White,
Flack,	Lopresti,	Reidenbach,	Williams,
Frost,	Lovett,	Reilly, J. M.,	Wilt,
Gaffney,	Lutty,	Rigby,	Wood,
Geer,	Lyons,	Riley, R. L.,	Yeakel,
Gibson,	Madden,	Robertson,	Yetzer,
Gleason,	Madigan,	Rose,	Young,
Good,	Markley,	Rovansek,	Ziegler,
Goodling,			Sorg,
			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate



with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 882, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" is hereby further amended by adding a new route in Bucks County

#### Bucks County

Route 09158 Beginning at a point on Route 150 near Penn Valley thence in a general northeasterly direction in Falls Township to the south line of Morrisville Borough in Bucks County a distance of about one mile

Section 2 This act shall become effective the first day of January one thousand nine hundred fifty-two

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGFR. I simply desire to call the attention of the House to the fact that Senate Bill 882, refers to a new route in Berks County. This is an error and it should be Bucks County.

Mr. ANDREWS. Mr. Speaker, if the statement made by the gentleman from Berks is correct, the Senate had no intention of adding a new route in Berks County, and if the bill goes back to the Senate without amendments, how does Bucks County get into the bill?

The SPEAKER. The Chair is of the opinion that there is a Printer's error on the calendar. The bill is correctly printed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Royer,
Andrews,	Graybill,	Maxwell,	McConnell,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarneri,	McCormack,	Sax,

Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brels,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Mills,	Stank,
Brown,	Hocker,	Mintess,	Stimmel,
Bucchin,	Hoggard,	Monroe,	Stoner,
Byrne,	Hunter,	Moore, C. E.,	Swartz,
Cella,	Jenkins,	Moore, H. A.,	Swope,
Clapper,	Johnson,	Moran,	Tahl,
Clendenning,	Jones, G. E.,	Muldowney,	Taylor,
Cochran,	Jones, J. M.,	Munley,	Thompson, E. F.,
Conway,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Musto,	Toll,
Corr,	Jump,	Najaka,	Tompkins,
Costa,	Kamyk,	Naugle,	Toomey,
Coyle,	Keller,	Needham,	VanSant,
Dalrymple,	Kent,	Olsen,	Varallo,
Davis,	Kline,	Penglase,	Varner,
Dennison,	Kohl,	Peta,	Verona,
Dougherty,	Kolankiewicz,	Petrosky,	Wachhaus,
Dowling,	Kornick,	Pettigrew,	Wargo,
DuBois,	Kratz,	Pfaff,	Waterhouse,
Duffy,	Kubacki,	Pichney,	Watkins,
Dunn,	Lafore,	Pitzer,	Weidner,
Erb,	Lederer,	Polaski,	Welsh,
Ewing,	Leisey,	Polen,	Wescott,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leonard, W. C.,	Price, R. A.,	Whalley,
Fillip,	Leven,	Readinger,	Wheeler,
Fillo,	Light,	Reagan,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reldenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Rigby,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
		Rovansek,	Speaker

#### NAYS—1

Miller, J. C.,

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 884, as follows:

An Act to further amend Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of



all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State for registered and unregistered cattle

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live poultry and game birds by dogs and for live stock killed by or dying from rabies and the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" as last amended by the act approved the twenty-eight day of June one thousand nine hundred forty-seven (P. L. 1060) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundred dollars for each horse or mule [seventy-five] one hundred fifty dollars for each head of unregistered cattle [one hundred twenty-five] two hundred fifty dollars for each head of registered cattle fifteen dollars for each head of unregistered swine sheep or goats twenty-five dollars for each head of registered swine sheep or goats five dollars for each full-grown goose five dollars for each full-grown turkey or wild turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry or domestic game birds killed or injured

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraff,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudensfield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintees,	Stank,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,

Clapper,	Jones, G. E.,	Muldorney,	Taylor,
Clendenen,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Lafore,	Naugle,	Toomay,
Costa,	Kamyk,	Needham,	VanSant,
Coyle,	Keller,	Olsen,	Varallo,
Dalrymple,	Kent,	Penglase,	Vanner,
Davis,	Kline,	Peta,	Verona,
Dennison,	Kohl,	Petrosky,	Wachhaus,
Dougherty,	Kolankiewicz,	Pettigrew,	Wargo,
Dowling,	Kornick,	Pfaff,	Waterhouse,
Duffy,	Kratz,	Pichney,	Watkins,
Dunn,	Kubacki,	Pitzer,	Watkins,
Erb,	Lederer,	Polaski,	Welsh,
Ewing,	Lelsey,	Polen,	Wescott,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leonard, W. C.,	Price, R. A.,	Whalley,
Filip,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reidenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Rigley,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
Goodling,	Markley,	Rovansek,	Speaker

## NAYS—2

DuBola.

Miller, J. C.,

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 899, as follows:

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article five of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 516 thereof a new section to read as follows

Section 516.1 Attendance at Meetings of Educational or Financial Advantage to District Expenses When in the opinion of the board of school directors attendance of one or more of its members on any meeting held within the Commonwealth (other than annual State and county conventions of school directors and meetings called by the county superintendent) will be of educational or financial advantage to the district it may authorize the attendance of one or more of its members at such meeting not exceeding two meetings in any one school year. Each person so authorized to attend and attending shall be reimbursed for all expenses actually and necessarily incurred in going to attending and returning from the place of such meeting but not exceeding eight dollars



(\$8) per day together with mileage at the rate of six cents (\$.06) for each mile in going to and returning from each meeting. Each person so authorized to attend and attending shall be reimbursed for all necessary traveling hotel expenses actually incurred. In either event such expenses shall be paid by the treasurer of the school district in the usual manner out of the funds of the district upon presentation of an itemized verified statement of such expenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clenizing,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varnier,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Praff,	Waterhouse,
Duffy,	Kubacki,	Pichney,	Watkins,
Dunn,	Lafore,	Pitzer,	Weldner,
Erb,	Lederer,	Polaski,	Welsh,
Ewing,	Leisey,	Polen,	Wescott,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leonard, W. C.,	Price, R. A.,	Whalley,
Filip,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reldenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Rigby,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
Goodling,	Markley,	Rovansek,	Speaker

## NAYS—2

DuBois, Miller, J. C.,

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 913, as follows:

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as added by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (Act No 405) is hereby amended to read as follows:

Section 1072.1 Associate Superintendent in District Third Class In lieu of electing a district superintendent the board of school directors in any district of the third class may by a majority vote of all the members thereof elect a properly qualified person as associate superintendent who shall perform the duties of a district superintendent under the general supervision of the county superintendent. The public schools of any district having an associate superintendent shall be subject to the superintendence of the county superintendent and shall participate in all services provided by the county superintendent.

The directors of any district electing an associate superintendent shall participate in the election of a county superintendent.

The approval of the county board of school directors shall [not] be required [for] before the election of an associate superintendent in a district having a supervising principal. If the county board of school directors shall refuse such approval or shall neglect to act upon the application of the board of school directors for a period of thirty (30) days from the date of the submission of such application to it the board of school directors may appeal to the Superintendent of Public Instruction who may sustain or reverse the action of the county board and in the event of reversal shall grant approval to the creation of the office of associate superintendent in such district.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—202

Amarando,	Graybill,	Markley,	Rovansek,
Andrews,	Greenwood,	Maxwell,	Royer,
Banker,	Greer,	Mazza,	Rubin,
Barkdoll,	Guarnieri,	McConnell,	Sarra,
Baumunk,	Gutendorf,	McCormack,	Sax,
Bear,	Guthrie,	McCullough,	Scanlon,
Beaver,	Hagerty,	McDermitt,	Schmidt,
Beech,	Hall,	McNally,	Schuster,
Berkstresser,	Hamilton, R. K.,	McGee,	Scott,
Blair,	Hamilton, W. H.,	McInroy,	Seyler,
Bloom,	Harney,	McKinney,	Shoemaker,
Boles,	Haudenshield,	McMillen,	Shotwell,
Bolton,	Headlee,	Metz,	Smith,
Bomberger,	Helm,	Mihm,	Snider,
Bower,	Hersch,	Mikula,	Sollenberger,
Breisch,	Hewitt,	Miller, H. G.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,

Clapper,  
Clendening,  
Cochran,  
Conway,  
Cooper,  
Corr,  
Costa,  
Coyle,  
Dalrymple,  
Davis,  
Dennison,  
Dougherty,  
Dowling,  
Duffy,  
Dunn,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Jones, T. H. W.,  
Jump,  
Kamyk,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kolankiewicz,  
Kornick,  
Kratz,  
Kubacki,  
Lafore,  
Lederer,  
Lelsey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,

Moran,  
Muldowney,  
Munley,  
Murray,  
Musto,  
Najaka,  
Naugle,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Tahl,  
Taylor,  
Thompson, E. F.,  
Thompson, R. L.,  
Toll,  
Tompkins,  
Toomey,  
VanSant,  
Varallo,  
Varnier,  
Verona,  
Wachhaus,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Welsh,  
Wescott,  
Westrick,  
Whalley,  
Wheeler,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—3

DuBois, Miller, J. C., White.

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 914, as follows:

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 962) is hereby further amended to read as follows

Section 2518 Forfeitures for Employing Certain Teacher In the event that after the first day of July one thousand nine hundred fifty-one any school district for a period of two successive years employs the same teacher who holds only an emergency certificate for any grade or subject which he teaches or for a period of two successive years employees in the same position teachers who hold only an emergency certificate for any grades or subject which they teach such school district shall forfeit the sum of three hundred (\$300) for each teacher so employed or for each position so filled No such penalty shall be imposed for any violation of the foregoing provision during the biennium one thousand nine hundred forty-

seven one thousand nine hundred forty-nine Any school district that now or hereafter employs any teacher who does not hold any form of teacher certificate to teach in the public schools of this Commonwealth valid for the subject or grades in which the teacher is giving instruction shall forfeit one reimbursement unit for each such teacher employed Any school district that employs a substitute after July first one thousand nine hundred fifty-two in a position where a vacancy exists for a full year or more without the specific written approval of the Superintendent of Public Instruction shall forfeit one reimbursement unit for each substitute so employed The Superintendent of Public Instruction shall [in either event] deduct such sum or sums from the amount of the Commonwealth appropriation otherwise due such district under the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—200

Amarando,	Goodling,	Madigan,	Rovansek,
Andrews,	Graybill,	Markley,	Royer,
Banker,	Greenwood,	Maxwell,	Rubin,
Barkdoll,	Greer,	Mazza,	Sarraf,
Baumunk,	Guarnieri,	McConnell,	Sax,
Bear,	Gutendorf,	McCormack,	Scanlon,
Beaver,	Guthrie,	McCullough,	Schmidt,
Beech,	Hagerty,	McDermitt,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McInroy,	Seyler,
Bloom,	Hamilton, W. H.,	McKinney,	Shoemaker,
Boles,	Harney,	McMillen,	Shotwell,
Bolton,	Haudenshield,	McNally,	Smith,
Bomberger,	Headlee,	Metz,	Snider,
Bower,	Helm,	Mihm,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Mills,	Stank,
Brown,	Hocker,	Mintess,	Stimmel,
Byrne,	Hoggard,	Monroe,	Stoner,
Cella,	Hunter,	Moore, C. E.,	Swartz,
Clapper,	Jenkins,	Moore, H. A.,	Swope,
Clendening,	Johnson,	Muldowney,	Tahl,
Cochran,	Jones, G. E.,	Munley,	Taylor,
Conway,	Jones, J. M.,	Murray,	Thompson, E. F.,
Cooper,	Jones, P. F.,	Musto,	Thompson, R. L.,
Corr,	Jones, T. H. W.,	Najaka,	Toll,
Costa,	Jump,	Naugle,	Tompkins,
Coyle,	Kamyk,	Needham,	Toomey,
Dalrymple,	Keller,	Olsen,	VanSant,
Davis,	Kent,	Penglase,	Varallo,
Dennison,	Kline,	Peta,	Varnier,
Dougherty,	Kohl,	Petrosky,	Verona,
Dowling,	Kolankiewicz,	Pettigrew,	Wachhaus,
DuBois,	Kornick,	Pfaff,	Wargo,
Duffy,	Kratz,	Pichney,	Waterhouse,
Dunn,	Kubacki,	Pitzer,	Watkins,
Erb,	Lafore,	Polaski,	Weidner,
Ewing,	Lederer,	Polen,	Welsh,
Fenrich,	Lelsey,	Price, H. W. Jr.,	Wescott,
Ferster,	Leonard, L.,	Price, R. A.,	Westrick,
Filip,	Leonard, W. C.,	Readinger,	Whalley,
Filo,	Leven,	Reagan,	Wheeler,
Firmstone,	Light,	Reese,	White,
Flack,	Limper,	Reidenbach,	Williams,
Frost,	Loftus,	Reilly, J. M.,	Wilt,
Gaffney,	Lopresti,	Rigby,	Yeakel,
Geer,	Lovett,	Riley, R. L.,	Yetzer,
Gibson,	Lutty,	Robertson,	Young,
Gleason,	Lyons,	Rose,	Ziegler,
Good,	Madden,	Rosen,	Sorg,
			Speaker

## NAYS—5

Bucchin, Miller, J. C., Moran, Wood,  
Mikula,

## NOT VOTING—0

The majority required by the Constitution having voted



in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 917, entitled:

An Act to further amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects and increasing the borrowing capacity of the Authority

On the question,

Will the House agree to the bill on third reading?

Mr. HELM Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, line 11 of the title, by inserting after the word "projects" and before the word "and" the following: "the purchase of lands for rehabilitation purposes in connection with State institutions".

Amend Section 4, page 4, line 11, by inserting after the word "projects" and before the parenthesis preceding the word "any" the following: "and the purchase of lands for rehabilitation purposes in connection with State institutions".

Amend Section 4, page 4, line 12, by inserting after the quotation mark following the word "projects" and before the syllable "pro-" the following: "y")

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 922, as follows:

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a

certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and directed to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren all the right title and interest of the Commonwealth in and to all that certain portion of Second Avenue in the Borough of Warren County of Warren and Commonwealth of Pennsylvania which lies between the eastern boundary line of Water Street and the west bank of Conewango Creek and more particularly described as follows Beginning at the north east intersection of Water Street and Second Avenue thence in an easterly direction along the northerly line of Second Avenue and along the southerly line of Out Lot No 25 sixty-nine (69) feet to the low water mark of Conewango Creek thence in a southerly direction and along the low water mark of Conewango Creek sixty-one (61) feet to the southerly line of Second Avenue at a point which is the north east corner of the lands of St Paul's Lutheran Church thence in a westerly direction along the southerly line of Second Avenue and the northerly line of St Paul's Lutheran Church seventy-one (71) feet to the south east intersection of Second Avenue and Water Street thence in a northerly direction and along the easterly line of Water Street sixty (60) feet to the place of beginning

Said tract of land being a portion of a street of the Town of Warren as said town was laid out and surveyed into town lots and streets by Commissioners in compliance with the act approved the eighteenth day of April one thousand seven hundred ninety-five (3 Sm L 233) entitled "An act to provide for laying out and establishing towns and out lots within the several tracts of land heretofore reserved for public uses situated respectively at Presqu'Isle on Lake Erie at the mouth of French creek at the mouth of Conewango creek and at Fort le Boeuf"

Section 2 The deed of conveyance herein authorized shall be approved by the Department of Justice shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth and shall be made for the consideration of one dollar (\$1.00) which shall be paid into the General Fund of the State Treasury

Section 3 The Burgess and Town Council of the Borough of Warren are hereby authorized to sell and convey to purchasers in fee or otherwise all or any part of the land described in Section 1 of this act

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McInroy,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelsch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,



Brown,	Hocker,	Mills,	Stimmel.
Bucchin,	Hoggard,	Mintess,	Stoner.
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrofsky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, R. A.,	Whalley,
Fillip,	Leven,	Price, H. W. Jr.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	William'
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 923, as follows:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine

hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" as amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 366) is hereby further amended to read as follows

Section 3 The effect of the order of the court of common pleas shall be as follows

\* \* \* \* \*

(c) The recorder of deeds shall receive for recording any deed or mortgage [or other instrument] that shall refer to a specific parcel of real estate whether or not said deed or mortgage [or other instrument] shall bear the certificate by the custodian of the lot and block system that the lot and block system descriptive numbers incorporated in the description of the real estate described therein are correct but before transcribing any such deed or mortgage [or other instrument] lacking the certification he shall obtain the same from the custodian of the lot and block system

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrofsky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,



Duffy,  
Dunn,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling.

Lafore,  
Lederer,  
Lelsey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley.

Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Watkins,  
Weidner,  
Welsh,  
Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 929, as follows:

An Act to amend the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds "by deleting certain duties imposed upon the recorder of deeds and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 and 3 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" are hereby amended to read as follows

Section 1 Every political subdivision of this Commonwealth authorized by law to adopt building ordinances or codes restricting regulating or otherwise affecting the construction reconstruction or improvement of real estate located within the boundaries of such political subdivision shall file a copy of any such ordinance or code or amendment thereto certified to be true and correct by the proper officer in the office for the recording of deeds of the county wherein the political subdivision is situated [which copy shall be adequately indexed to enable a person using the same to readily find the various types and kinds of regulations or requirements of such ordinance or code]

Section 3 [It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "building ordinance book" or books and to maintain an adequate index as part of the same in which the first copy of any such building ordinance or code and amendments thereto shall be kept] The recorder of deeds shall charge the political subdivision filing the same as filing fee equal to the filing fees authorized by law for the same or similar services

Section 2 Whenever heretofore any political subdivision authorized to adopt a building ordinance or code or

amendment thereto has adopted such an ordinance or code or amendment thereto but inadvertently and without deliberate evasion of the requirements of law or acting under a mistake of fact or law has failed to file the same in the office of the recorder of deeds of the proper county if such ordinance code or amendment shall be filed in such office within a period of six months after the effective date of this amending act or if any such political subdivision has filed such ordinance code or amendment in the office of the recorder of deeds of the proper county but has failed to file the same in such office within the period prescribed by law or if the recorder of deeds has failed to properly record and index such ordinance or code or amendment thereto as required by law such ordinance code or amendment thereto is hereby validated and confirmed for all purposes or when filed in the office of the recorder of deeds as herein provided shall be a valid ordinance for all purposes without re-adoption or republication of notice thereof by the political subdivision

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarras,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudensfield,	Metz,	Smith,
Bombberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelsch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toil,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dairymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 930, as follows:

An Act to amend the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deed" by deleting certain duties imposed upon the recorder of deeds and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" is hereby amended to read as follows

Section 3 [It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "zoning ordinance and map" book or books and to maintain an adequate index as part of the same in which the filed copy of any such zoning ordinance and amendments thereto together with the map or plan of the political subdivision or part thereof shall be kept] The recorder of deeds shall charge the political subdivision filing the same a filing fee equal to the filing fees authorized by law for the same or similar services

Section 2 Whenever heretofore any political subdivision authorized to adopt a zoning ordinance or amendment thereto has adopted such an ordinance or amendment thereto but inadvertently and without deliberate evasion of the requirements of law or acting under a mistake of fact or law has failed to file the same together with maps or plans of the political subdivision or parts thereof and statements concerning type and kinds of restrictions or regulations for each zoning or area in the office of the recorder of deeds of the proper county if such ordinance maps or plans shall be filed in such office within six months after the effective date of this amending act or if any such political subdivision has filed such ordinance and maps or plans in the office of the recorder of deeds in the proper county but has failed to file the same in such office within the time prescribed by law or whenever heretofore any recorder of deeds has failed to properly record and index any such material as required by law such ordinance or amendment thereto is hereby validated and confirmed for all purposes or when filed in the office of the recorder of deeds as herein provided shall be a valid ordinance for all purposes without re-adoption or republication of notice hereof by the political subdivision

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Mazza,	Royer.
Andrews,	Greenwood,	McConnell,	Rubin.
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Brelsich,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, O. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kilne,	Penglase,	Varner,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBois,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Fillp,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker
Goodling,	Maxwell,		

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 937, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for refusal to issue and revocation of licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 212 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L.



533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end of section 212 thereof a new subsection to read as follows

Section 212 Application for and Grant of License

\* \* \* \* \*

(e) If after investigation the department is not satisfied that the applicant should receive a license under this section it shall notify the applicant of its decision refusing to issue the license Such decision shall be final

Section 2 Section 214 of said act is hereby amended to read as follows

Section 214 [Review of Action by Department Any person aggrieved by any action of the department relating to his license or by rule or regulation adopted and promulgated by the department shall have the right to file a complaint with the department and to have a hearing thereon before the department Such hearings shall be conducted and the decision of the department on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) and its amendments relating to adjudication procedure Any person aggrieved by any adjudication of the department shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effects as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudication of agencies of the Commonwealth] Revocation of License The department shall have the power after hearing to revoke any license issued under this act whenever it shall appear that the licensed institution is being operated in violation of the laws of this Commonwealth or rules or regulations thereunder pertaining to the operation of mental hospitals or whenever the department shall determine that the holder of the license would not be qualified to receive a license if application for such license were made under Section 212 of this act

Any person aggrieved by the action of the department in revoking his license may appeal to the Court of Common Pleas of Dauphin County the jurisdiction of which shall be limited to a consideration of whether or not the department abused its discretion in revoking such license

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsich,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,

Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dairymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewics,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Weish,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1742, as follows:

An Act to amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by providing for a State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 24 of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy nine" and all its amendments are hereby repealed

Section 2 Said act is hereby amended by adding thereto a new Section 24 to read as follows

Section 24 It shall be the duty of the president secretary or other proper officer of each and every insurance company association or exchange incorporated by or under any law of this Commonwealth except purely mutual beneficial association whose funds for the benefit of members their families or heirs are made up entirely of the weekly monthly quarterly semi-annual or annual contributions of their members and the accumulated interest thereon to make report in writing to the Department of Revenue on or before the fifteenth day of March in each year setting forth the entire amount of premiums premium deposits or assessments received by such company association or exchange during the year ending with the thirty-first day of December preceding whether the said premiums premium deposits or assessments were received



in money or in the form of notes credits or any other substitute for money and whether the same were collected in this Commonwealth or elsewhere and every such company association or exchange shall pay into the State Treasury through the Department of Revenue within the time prescribed by law for the payment of State taxes settled by the Department of Revenue in addition to any other taxes to which it may be liable under the first and twenty-first sections of this act a tax of two per centum posits and assessments received from business transacted upon the gross amount of said premiums premium de- within this Commonwealth Provided however That a credit not exceeding sixty per centum of the tax imposed by this act shall be allowed in the payment of said tax for the capital stock and corporate net income taxes paid to the Commonwealth for the same period or the fiscal year ending in said period

Such company association or exchange in reporting for taxation may deduct from the gross premiums premium deposits and assessments all amounts returned on policies cancelled or not taken and all premiums received for re-insurance and mutual companies associations exchanges and stock companies with participating features which may for any reason be required to report under this act in additions to the aforesaid deductions may deduct that portion of the advanced premiums premium deposits or assessments returned in cash or credited to members or policyholders whether as dividends earnings savings or return deposits upon the expiration of termination of their contracts and notes or other obligations received by mutual insurance companies to secure contingent premium liabilities to the extent that no assessment has been made and collected against said notes or obligations Provided That hereafter the annual tax upon premiums of insurance companies of other states or foreign governments shall be at the rate of two per centum upon the gross premiums of every character and description received from business done within this Commonwealth within the entire calendar year preceding The penalties for failure to make report and pay the tax as herein required shall be as provided by law

Section 3 This amendment shall be effective as to the tax upon gross premiums premium deposits and assessments received during the calendar year one thousand nine hundred fifty-one and during the calendar year one thousand nine hundred fifty-two

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. May the Monday morning quarterback be allowed to interrogate the December fullback.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Smith, would you tell me what the position is of House Bill 1694 at this particular time?

Mr. SMITH. Mr. Speaker, I believe 1694 has been signed by the Governor.

Mr. LOVETT. You believe that to be the fact?

Mr. SMITH. I know that to be the fact, Mr. Speaker.

Mr. LOVETT. You know that to be the fact?

Mr. SMITH. Yes, sir.

Mr. LOVETT. May I inquire what effect House Bill 1742 will have upon that particular bill or act that is now signed by the Governor?

Mr. SMITH. I would say, Mr. Speaker, I hope I am correct in saying that House Bill 1742 will amend the same act that 1694 did.

Mr. LOVETT. In those amendments what effect if any, will take place?

Mr. SMITH. Is the gentleman speaking of the amendments in House Bill 1742?

Mr. LOVETT. Correct.

Mr. SMITH. I understand, Mr. Speaker, that they will take out of the old act annuities, and all beneficial societies and pension funds.

Mr. LOVETT. Does the gentleman have any idea of how much money that will deprive the state of Pennsylvania?

Mr. SMITH. Mr. Speaker, I have been informed approximately a million and a half, or two million dollars. That is an estimate.

Mr. LOVETT. A year, Mr. Speaker?

Mr. SMITH. Well it would only be for the next year, because that is the only time we are taking it out. And it would be an estimate, too, Mr. Speaker.

Mr. LOVETT. Wait a minute, Mr. Smith, you are taking it out for 1951 and 1952, is that correct?

Mr. SMITH. Yes, we are, I think I was wrong in that statement, we are taking it out for the full biennium.

Mr. LOVETT. The loss of revenue to the State would be what?

Mr. SMITH. Approximately we will say a million and a half. But that is just a guess.

Mr. LOVETT. I thank the gentleman, Mr. Speaker.

Mr. Speaker and Members of the House, do you mean to tell me now that you are going to vote for a bill that is going to take a million and a half away from the State of Pennsylvania, after the debate yesterday with the Majority Floor Leader that we needed revenue in Pennsylvania? Are you going to now take away from the State of Pennsylvania a million and a half or two million and a half, when we are so badly in need of revenue?

I leave it with your thinking on the opposite side of this House. It just does not make sense. I am a little confused. I just do not know what to do.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—199

Amarando,	Graybill,	Mazza,	Rovansek,
Andrews,	Greenwood,	McConnell,	Royer,
Banker,	Greer,	McCormack,	Rubin,
Barkdoll,	Guarnieri,	McCullough,	Sarraf,
Baumunk,	Gutendorf,	McDermitt,	Sax,
Bear,	Guthrie,	McGee,	Scanlon,
Beaver,	Hagerty,	McInroy,	Schmidt,
Beech,	Hall,	McKinney,	Schuster,
Berkstresser,	Hamilton, R. K.,	McMillen,	Scott,
Blair,	Hamilton, W. H.,	McNally,	Seyler,
Bloom,	Harney,	Metz,	Shoemaker,
Boles,	Haudenshield,	Mihm,	Shotwell,
Bolton,	Headlee,	Mikula,	Smith,
Bower,	Helm,	Miller, H. G.,	Snider,
Breisch,	Hersch,	Miller, J. C.,	Sollenberger,
Breth,	Hewitt,	Mills,	Spencer,
Brown,	Hocker,	Mintess,	Stank,
Bucchin,	Hoggard,	Monroe,	Stimmel,
Byrne,	Hunter,	Moore, C. E.,	Stoner,
Cella,	Jenkins,	Moore, H. A.,	Swartz,
Clapper,	Johnson,	Moran,	Swope,
Clendenen,	Jones, G. E.,	Muldowney,	Tahl,
Cochran,	Jones, J. M.,	Munley,	Taylor,
Conway,	Jones, F. F.,	Murray,	Thompson, E. F.,
Cooper,	Jones, T. H. W.,	Musto,	Thompson, E. L.,
Corr,	Jump,	Najaka,	Toil,
Costa,	Kamyk,	Naugle,	Tompkins,
Coyle,	Keller,	Needham,	Toomey,
Dalrymple,	Kent,	Olsen,	VanSant,
Davis,	Kohl,	Penglass,	Varallo,



Dennison,	Kolankiewicz,	Peta,	Varner,
Dougherty,	Kratz,	Petrosky,	Verona,
Dowling,	Kubacki,	Pettigrew,	Wachhaus,
DuBois,	Lafore,	Pfaff,	Wargo,
Duffy,	Lederer,	Pichney,	Waterhouse,
Dunn,	Lelsey,	Pitzer,	Watkins,
Erb,	Leonard, L.,	Polaski,	Weidner,
Ewing,	Leonard, W. C.,	Polen,	Wescott,
Fenrich,	Leven,	Price, H. W. Jr.,	Westrick,
Ferster,	Light,	Price, R. A.,	Whalley,
Filip,	Limper,	Readinger,	Wheeler,
Filo,	Loftus,	Reagan,	White,
Firmstone,	Lopresti,	Reese,	Williams,
Flack,	Lutty,	Reidenbach,	Wilt,
Gaffney,	Lyons,	Reilly, J. M.,	Wood,
Geer,	Madden,	Rigby,	Yeakel,
Gibson,	Madigan,	Riley, R. L.,	Yetzer,
Gleason,	Markley,	Robertson,	Young,
Good,	Maxwell,	Rose,	Ziegler,
Goodling,		Rosen,	Sorg,

Speaker

## NAYS—6

Bomberger,	Kline,	Lovett,	Welsh,
Frost,	Kornick,		

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1551, entitled:

An Act requiring approval of the interested electorate to initiate housing projects by housing authorities in certain political subdivisions

Mr. ANDREWS. Mr. Speaker, I rise to make a suggestion to the majority group and the Majority Leader. The suggestion is this, that there is a greater verbal footage, and I say that advisedly . . . a greater verbal footage opposed to this bill than was opposed to Senate Bill 27.

We are entering into a period of protracted debate if this bill is called up at this time. There are reasons why it should not be called up, Mr. Majority Leader, because the issue involved in this bill has already been decided in this House in the negative.

Now we are simply coming in by the back door with a proposition that was previously defeated. We defeated a bill that had Philadelphia in it. Now we take Philadelphia out and bring back the same proposition, highly controversial. It is quite all right with me if the House wants to start on a protracted verbal debauch that will wind up sometime between now and eleven.

Mr. EWING. Mr. Speaker, I will be willing to take the roll call on Senate Bill 27, if the gentleman wants to do that.

Mr. ANDREWS. Well if you could be as potent in your address as the advocates of that measure were, we might accept it, but you having failed to convince us the first time and we hardly believe you can convince us the second time.

I am not prepared to make a motion to drop it from the calendar. I would not do that to my friend from Allegheny, but I am simply suggesting that if he calls up the bill at this time he will have to listen to an awful lot of verbal footage.

Mr. EWING. Mr. Speaker, could we limit the talks to a five-minute period per member?

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Andrews, rise?

Mr. ANDREWS. To reply to that. I presume a Member having the Speaker with him and the majority of the House with him, can do almost anything. But it would be over our dead bodies.

The SPEAKER. The Chair would not impose such a limitation unless so instructed by the House.

## BILLS PASSED OVER

There being no objection

House Bill No. 1551, Printer's No. 1148, was passed over temporarily at the request of Mr. EWING.

## SENATE MESSAGE

## SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

## SENATE BILL No. 939.

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committee of such political parties if the rules of such State committees specifically authorize their selection by the State committees.

Referred to the Committee on Elections and Apportionment.

## PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. DALRYMPLE asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

Mr. BOWER asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

## REPORTS FROM COMMITTEES

Mr. CELLA from the Committee on Welfare, reported as committed, Senate Bill No. 868, entitled:

An Act to amend section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged un-



authorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" by clarifying the provisions thereof to include periods when licenses are revoked and periods after violation of laws rules and regulations governing private institutions.

Mr. McKINNEY from the Committee on Judiciary, reported as committed, Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds where the acknowledgment of such deed or deeds was defective in any respect or sale thereof not legally returned if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgements and return duly made at a subsequent term.

Mr. READINGER from the Committee on Judiciary, reported as committed Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

Mr. READINGER from the Committee on Judiciary, reported as committed, Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" by poviring by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration an dthe payment of fees and costs in such cases.

Mr. BOWER from the Committee on Appropriations, reported as committed, Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morganza.

Mr. BOWER from the Committee on Appropriations, reported as committed, Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

Mr. BOWER from the Committee on Appropriations, reported as committed, Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

Mr. BOWER from the Committee on Appropriations, reported as committed, Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

Mr. PENGLASE from the Committee on State Government, reported as committed, Senate Bill No. 928, entitled:

An Act to further amend Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by fixing the compensation of members of the State Police Force.

Mr. McCORMACK from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees.

## BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, 1951, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 350, entitled:

An Act to further amend clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act



relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### REPORTS FROM COMMITTEES

Mr. POLASKI, from the Committee on Cities—Third Class, reported as amended, Senate Bill No. 889, entitled:

An Act to further amend Section 7304 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employees:

Mr. BOLTON, from the Committee on Townships, reported as committed, Senate Bill No. 350, entitled:

An Act to further amend clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof.

Mr. TAYLOR, from the Committee on Welfare, reported as committed, Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor.

Mr. CORR, from the Committee on Education, reported as committed, Senate Bill No. 824, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain

funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 824, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth an contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one-hundred-fortieth (1/140) class and to receive the benefits thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 868, entitled:

An Act to amend section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" by clarifying the provisions thereof to include periods when licenses are revoked and periods after violation of laws rules and regulations governing private institutions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds where the acknowledgment of such deed or deeds was defective in any respect or sale thereof not legally returned if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments and return duly made at a subsequent term.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,



The House proceeded to the first reading and consideration of Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and the payment of fees and costs in such cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morganza.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payments to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 928, entitled:

An Act to further amend Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by fixing the compensation of members of the State Police Force.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections and nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National convention of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. DUFFY asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

## RESOLUTION

### CONGRATULATIONS

Mr. DUFFY. Mr. Speaker, I wish to offer a resolution for a gentleman who has served five terms in this House. He is one of the friendliest fellows, I think we have ever had sitting up here. After hearing the rehearsal this morning on singing "Happy Birthday," I hope we are all in good voice. At this time I offer the following resolution.



Messrs. DUFFY, McGEE, SCANLON, COSTA, LOFTUS, McCORMACK and SMITH offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, December 19, 1951.

Whereas, On Wednesday, December 19, Joseph J. Hersch will celebrate his birthday, having been born on December 19, 1903; and

Whereas, Joe is an upholsterer by trade and the word "upholsterer" in the old days meant an upholder as one who holds goods up to public view, and

Whereas, Joe has carried that characteristic into his legislative activities in which he likes to hold up a prospective law for public view and appraisal, and

Whereas, Joe Hersch is characteristically friendly, helpful and modest—a real fellow and a grand companion; therefore be it

Resolved, That the members of the House of Representatives join in wishing Joseph J. Hersch a very happy birthday and many, many more of them and may he as the legislative upholder for many a day uphold.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hersch.

Mr. HERSCH. I wished many times during this session that I was back in upholstering. So, I want to take this opportunity to thank my friends for bringing that resolution in. Thank you very much.

## RESOLUTION

### DISCHARGING COMMITTEE

Messrs. MAXWELL and MILLS offered a resolution which was read and considered as follows:

In the House of Representatives, December 18, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 895, Title: "An Act to further amend Section 4 of the act approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198) entitled, 'Labor Anti-Injunction Act,' by extending the provisions thereof to certain additional cases."

Said bill having been referred to the Committee on Labor Relations, on April 4, 1951.

On the question,

Will the House adopt the resolution?

Mr. MAXWELL. Mr. Speaker, this discharge resolution pertains to House Bill 895 which will eliminate certain provisions of the anti-injunction act. I would especially ask that the Members on this side of the House be recorded in favor of the measure.

Mr. ANDREWS. Mr. Speaker, on this resolution we will be glad to take a party vote.

The SPEAKER. The Chair thanks the gentleman.

The yeas and nays were required by Mr. Maxwell and Mr. Mills and were as follows:

### YEAS—86

Amarando,	Headlee,	McNally,	Rose,
Andrews,	Hersch,	Mihm,	Rosen,
Beaver,	Hoggard,	Mills,	Rovansek,
Berkstreser,	Hunter,	Monroe,	Sarrat,
Boles,	Jenkins,	Moran,	Scanlon,
Breth,	Jones, G. E.,	Muldowney,	Schmidt,
Buchin,	Jones, J. M.,	Munley,	Schuster,
Byrne,	Jones, P. F.,	Musto,	Seyler,
Cochran,	Kamyk,	Needham,	Snider,
Conway,	Kolankiewicz,	Olsen,	Stank,
Corr,	Kornick,	Penglase,	Swope,
Coyle,	Kubacki,	Peta,	Taylor,
Dougherty,	Lederer,	Petrosky,	Toll,
Duffy,	Leonard, L.,	Pettigrew,	Varallo,

Fenrich,  
Filip,  
Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,

Leven,  
Limper,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
McDermitt,  
McGee,

Pfaff,  
Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,  
Reidenbach,

Verona,  
Wargo,  
Welsh,  
Westrick,  
Wheeler,  
Williams,  
Yetzer,

### NAYS—93

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bolton,  
Bomberger,  
Bower,  
Brown,  
Cella,  
Clapper,  
Clendening,  
Costa,  
Davis,  
Dennison,  
Dowling,  
DuBois,  
Ewing,  
Ferster,  
Firmstone,  
Flack,  
Frost,  
Geer,

Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenschild,  
Helm,  
Hewitt,  
Hocker,  
Keller,  
Kent,  
Kratz,  
Lafore,  
Leisey,  
Leonard, W. C.,  
Light,  
Loftus,  
Metz,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Naugle,  
Pichney,  
Pitzer,  
Reagan,  
Relly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,

Rubin,  
Sax,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Swartz,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Waterhouse,  
Weidner,  
Wescott,  
Whalley,  
Wood,  
Yeakel,  
Ziegler,

### NOT VOTING—26

Bloom,  
Breisch,  
Cooper,  
Dalrymple,  
Dunn,  
Erb,  
Johnson,

Jones, T. H. W.,  
Jump,  
Kline,  
Kohl,  
Lyons,  
Madden,  
Mazza,

Mikula,  
Miller, J. C.,  
Najaka,  
Price, H. W. Jr.,  
Scott,  
Shoemaker,  
Wachhaus,  
Watkins,  
White,  
Wilt,  
Young,  
Sorg, Speaker

Less than the majority required by the Rules having voted in the affirmative the question was determined in the negative and the resolution was not adopted.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for two hours. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## SENATE MESSAGES

### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 819.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and figures "eighty-five thousand dollars (\$95,000)" and inserting in lieu thereof the words and figures "eighty-four thousand seven hundred dollars (\$84,700)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cells,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnar,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Peta,	Wachhaus,	Wachhaus,
Dowling,	Kolankiewicz,	Petrosky,	Wargo,
DuBols,	Kornick,	Pettigrew,	Waterhouse,
Duffy,	Kratz,	Pfaff,	Watkins,
Dunn,	Kubacki,	Pichney,	Weldner,
Erb,	Lafore,	Pitzer,	Welsh,
Ewing,	Lederer,	Polaski,	Wescott,
Fenrich,	Leisey,	Polen,	Westrick,
Ferster,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Filip,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filo,	Leven,	Readinger,	White,
Firmstone,	Light,	Reagan,	Williams,
Flack,	Limper,	Reese,	Wilt,
Frost,	Loftus,	Reldenbach,	Wood,
Gaffney,	Lopresti,	Reilly, J. M.,	Yeakel,
Geer,	Lovett,	Rigby,	Yetzer,
Gibson,	Lutty,	Riley, R. L.,	Young,
Gleason,	Lyons,	Robertson,	Ziegler,
Good,	Madden,	Rose,	Sorg,
	Madigan,	Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

Ordered, That the Clerk inform the Senate accordingly.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1141.

An Act making an appropriation to the Orlando S.

Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and figures "sixty-five thousand dollars (\$65,000)" and inserting in lieu thereof the words and figures "fifty-nine thousand four hundred dollars (\$59,400)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cells,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnar,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBols,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reldenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madigan,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.



The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

# HOUSE BILL No. 1150.

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the word "the" the following: "Pennsylvania Museum and School of Industrial Art Textile Institute Philadelphia" and inserting in lieu thereof the following: "Philadelphia Textile Institute at Philadelphia Pennsylvania."

Amend Section 1, page 2, by striking out all of line 1, and inserting in lieu thereof the following: "Philadelphia Textile Institute of."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando.	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenen,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	
Gaffney,	Lutty,	Rigby,	
Geer,	Lyons,	Riley, R. L.,	
Gibson,	Madden,	Robertson,	
Gleason,	Madigan,	Rose,	
Good,	Markley,	Rovansek,	Speaker
Goodling,			

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

# HOUSE BILL No. 1165.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words "three million dollars (\$3,000,000)" and inserting in lieu thereof the words "two million dollars (\$2,000,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando.	Goodling,	Markley,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer.
Banker,	Greenwood,	Mazza,	Rubin.
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenen,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Loftus,	Reagan,	Williams,
Flack,		Reese,	Wilt,
		Reidenbach,	Wood.

Frost,	Lopresti,	Relly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yetzer,
Geer,	Lutty,	Riley, R. L.,	Young,
Gibson,	Lyons,	Robertson,	Ziegler,
Gleason,	Madden,	Rose,	Sorg,
Good,	Madigan,	Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1488.

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "thirty-two thousand dollars (\$32,000)" and inserting in lieu thereof the following: "thirty-one thousand dollars (\$31,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dairymple,	Kilne,	Olsen,	Varnier,
Davis,	Kohl,	Penglass,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	

Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Fenster,	Leven,	Price, R. A.,	Whalley,
Fillo,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reldenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 640.

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 3, Page 5, line 1, by striking out after the word "effective" the words "the first day of June one thousand nine hundred fifty-one" and inserting in lieu thereof the following "immediately upon final enactment."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,



Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. E. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. O.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1497.

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes adding and changing penalties and providing for commitment of mentally ill persons to Veterans Administration or other agency of the United States

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, Page 2, line 5, by striking out after the word "changes" the word "and."

Amend Title, Page 2, line 6, by adding the following "and providing for commitment of mentally ill persons to veterans administration or other agency of the United States."

Amend Section 1, Page 11, line 4, by striking out after the word "governmental" the word "and."

Amend Section 11, Page 33, line 7, by striking out after the word "ill" the word "epileptic"; Section 11, Page 33, line 12 by inserting after the word "Administration" the following "commitment to Veterans Administration or other agency of the United States Government

(a) Whenever in any proceeding under the laws of this state for the commitment of a person alleged to be of unsound mind or otherwise in need of confinement in a hospital or other institution for his proper care it is determined that commitment to a hospital for mental illness or other institution is necessary for safekeeping or treatment and it appears that such person is eligible for care or treatment by the Veterans Administration or other agency of the United States Government upon receipt of a certificate from the Veterans Administration or such other agency showing that facilities are available and that such person is eligible for care or treatment therein such person may be committed to said Veterans Administration or other agency upon commitment. Such person when admitted to any facility operated by any such agency within or without this state in accordance with the needs of the veteran shall be subject to the rules and regulations of the Veterans Administration or other agency. The chief officer of any facility of the Veterans Administration or institution operated by any other agency of the United States to which the person is so committed shall with respect to such person be vested with the same powers as superintendents of State hospitals for mental illness within this state with respect to retention of custody transfer leave of absence or discharge jurisdiction is retained in the court of this state at any time to inquire into the mental condition of the person so committed and to determine the necessity for the continuance of his restraint

(b) The judgment or order of commitment by a court of competent jurisdiction of another state or of the District of Columbia committing a person to the Veterans Administration or other agency of the United States Government for care or treatment shall have the same force and effect as to the committed person while in this state as in the jurisdiction in which is situated the court entering the judgment or making the order and the courts of the committing state or to the District of Columbia shall be deemed to have retained jurisdiction of the person so committed for the purpose of inquiring into the mental condition of such person and of determining the necessity for the continuance of his restraint as provided in subsection (a) of this section with respect to persons committed by the courts of this state consent is hereby given to the application of the law of the committing state or district in respect to the authority of the chief officer of any facility of the Veterans Administration or of any other institution operated in this state by any other agency of the United States to retain custody or transfer leave of absence or discharge the committed person

(c) Upon receipt of a certificate of the Veterans Administration or such other agency of the United States that facilities are available for the care or treatment of any person heretofore committed to any hospital for the mentally ill or other institution for the care or treatment of persons similarly afflicted and that such person is eligible for care or treatment the superintendent of the institution may cause the transfer of such person to the Veterans Administration or other agency of the United States for care or treatment no person shall be transferred to the Veterans Administration or other agency of the United States if he be confined pursuant to conviction of any felony or misdemeanor or if he had been acquitted of the charge solely on the ground of insanity unless prior to transfer the court or other authority originally committing such person shall enter an order for such transfer after appropriate motion and hearing. Any person transferred as provided in this section shall be deemed to be committed to the Veterans Administration or other agency of the United States pursuant to the original commitment."

Amend Section 11, Page 40, line 7, by striking out after the word "absence" at the end of line 6, the following "and in any case with approval" and inserting in lieu thereof the following "or in either case by order."

Amend Section 17, Page 48, line 17, by striking out after the figures "802" the figures "804, 811 and 821" and inserting in lieu thereof the word and figure "and 804."



Amend the bill, page 52, by inserting after line 2 the following:

Amend the bill, page 53, line 10 by striking out after the word "Section" the figure "18" and inserting in lieu thereof the figure "19."

Amend bill, page 54, line 15 by striking out after the word "Section" the figure "19" and inserting in lieu thereof the figure "20."

Amend bill, page 55, line 4, by striking out after the word "Section" the figure "20" and inserting in lieu thereof the figure "21."

Amend bill, Page 55, line 5, by striking out after the word "section" the figure "21" and inserting in lieu thereof the figure "22."

Amend bill, Page 55, line 13, by striking out after the word "Section" the figure "22" and inserting in lieu thereof the figure "23."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin.
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Stonewall,
Cella,	Jenkins,	Moore, C. E.,	Swartz,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Gibson,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg.

Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1065 entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

Mr. HELM. Mr. Speaker, I move that the House insists upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

## APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1065.

The SPPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

## APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1188

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintainance and operation of the Western Psychiatric Institute and Clinic



Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1494

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGES

##### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

And has appointed Messrs. T. N. Wood, Watson and Bane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences between the two Houses in relation to said bill.

##### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1142, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

And has appointed Messrs. T. N. Wood, Watson and Bane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences between the two Houses in relation to said bill.

##### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts

And has appointed Messrs. T. N. Wood, Watson and Bane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences between the two Houses in relation to said bill.

##### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense

And has appointed Messrs. T. N. Wood, Watson and Bane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences between the two Houses in relation to said bill.

##### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

And has appointed Messrs. T. N. Wood, Watson and Bane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences between the two Houses in relation to said bill.

##### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land

And has appointed Messrs. T. N. Wood, Watson and Bane a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences between the two Houses in relation to said bill.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 655

Mr. HELM. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 655.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 655, entitled:



"An act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled 'An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes\*\*\* and eliminating the triennial assessment' by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court."

Respectfully submit the following bill as our report:

GEORGE B. STEVENSON,  
C. R. MALLERY,  
WILLIAM J. LANE,

(Committee on the part of the Senate.)  
HAROLD E. FLACK,  
JAMES W. ROBERTSON,  
HIRAM SWOPE,

(Committee on the part of the House of Representatives.)

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 502 504 506 601 and 602 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institutions district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes

defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder or deeds and eliminating the triennial assessment" are hereby amended to read as follows

#### An Act

Relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment

Section 502 Oath of Assessor Before entering on the duties of his office each assessor shall take and subscribe the following oath or affirmation

"I ..... do hereby (swear or affirm) that I will as assessor for ..... (ward borough town or township) use my utmost diligence to discover and ascertain all persons and property made taxable by law and will assess rate and value all such persons and property in accordance with the law and all rules and regulations of the Board of Assessment and Revision of Taxes made pursuant thereto" and will perform to the best of my ability the duties imposed upon me by law and keep faith with trust reposed in me by the citizens of the community I serve"

A copy of the oath of assessor duly attested by an officer empowered to administer oaths shall be filed by the assessor with the board For the purpose of this section the chief assessor the board or any member thereof shall be competent to administer the oath or affirmation

Section 504 Penalty on Assessor for [Failure to Assess for Making False or Incorrect Assessment and for] Failure to Perform Duty (a) If any assessor knowingly and intentionally omits neglects or refuses [to assess and return any property person or thing made taxable by law or knowingly and intentionally assesses rates or values the same at more or less than he knows and believes the just value thereof for purposes of taxation or neglects or refuses] to comply with any order or warrant issued to him in conformity with law or neglects or refuses to obey any valid rule or regulation of the board or neglects or refuses to secure any information or data necessary for assessment purposes reasonably and properly requested by the chief assessor he shall be guilty of misdemeanor in office and on conviction thereof shall be fined not more than two hundred dollars and shall be removed from office

Section 506 Duties of Assessor It shall be the duty of each assessor to gather and report to the chief assessor all data and information necessary to assess rate and value all subjects or objects of local taxation within the respective ward borough town or township of which he is assessor whether for county city borough town township school poor or institution district purposes in accordance with the law and all lawful regulations prescribed by the board



Section 601 Preparation of Assessment Roll Annually on or before the first day of [September] August the chief assessor shall from the returns made by the local assessors prepare and submit to the board in the form prescribed by the board an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person by the assessor The chief assessor shall at the same time prepare and submit a list of all property exempted by law from taxation The making of triennial assessments as provided by existing law is hereby abolished

Section 602 Valuation of Persons and Property It shall be the duty of the chief assessor to assess rate and value all subjects and objects of local taxation whether for county township town school (except in cities) county institution district poor or borough purposes according to the actual value thereof and in the case of subjects and objects of local taxation other than real property at such rates and prices for which the same would separately bona fide sell Real property shall be assessed at a value based upon an established predetermined ratio of which proper notice shall be given not exceeding seventy-five per centum (75%) of its actual value or the price for which the same would separately bona fide sell In arriving at such value the price at which any property may actually have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the county when assessing real property the chief assessor shall also take into consideration the value of such property as indicated by the use of cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio

Section 2 Said act is hereby amended by adding after Section 602 two new sections to read as follows

Section 602.1 Changes in Valuation The chief assessor may with the consent of the board change the assessed valuation on real property when (i) a parcel of land is divided and conveyed away in smaller parcels or (ii) when the economy of the county or any portion thereof has depreciated or appreciated to such extent that real estate values generally in that area are affected and (iii) when improvements are made to real property or existing improvements removed from real property

The painting of a building or the normal regular repairs to a building aggregating one thousand dollars (\$1000) or less in value annually shall not be deemed cause for a change in valuation

Section 602.2 Abstracts of Building Permits and Information on Improvements to be Furnished Chief Assessor (a) The office issuing building permits in every political subdivision of each county shall keep a daily record separate and apart from all other records of every building permit issued which shall set forth the following information the date of issuance the names and addresses of the persons owning and a description sufficient to identify the property for which the permit was issued the nature of the improvements and the amount in dollars in which issued On or before the first Monday of each month such office shall file the daily record in the office of the chief assessor of the county in which it is located together with a certificate of the head of such office that its contents are correct Such office shall charge and collect from each person to whom a building permit is issued the sum of fifteen cents which sum shall be in full compensation for its services under the provisions of this act

(b) Whenever any person makes improvements other than painting of or normal regular repairs to a building aggregating one thousand dollars (\$1000) or less in value annually to any real property in any political subdivision in the county and he is not required to obtain a building permit therefor by any political subdivision within thirty days of commencing the improvements he shall furnish the following information to the chief assessor the name and address of the person owning and a description sufficient to identify the property involved

the nature of the improvements made or to be made and the amount in dollars of the value of the improvements

Any person who wilfully fails to comply with the provisions of this subsection or who in furnishing such information wilfully falsifies the same shall upon conviction thereof in a summary proceedings be sentenced to pay a fine of not more than fifty dollars (\$50.00)

(c) At least once every three months the chief assessor shall forward copies of such improvement records to the assessors of the political subdivision in which such improvements are made or contemplated The assessors shall visit the site of the improvements and secure any information the chief assessor requests which may include the description and measurements type of construction degree of completion cost and probable value of the improvements

Section 3 Section 604 of said act is hereby amended to read as follows

Section 604 Assessment Roll to Be Open for Public Inspection The assessment roll shall be open to public inspection at the offices of the board at the county seat during ordinary business hours of each business day from the time of completion and delivery to the board to and including the first day of [October] September Upon receipt of the assessment roll from the chief assessor the board shall give notice by publication in at least one and not more than three newspapers published in the county that such assessment roll has been completed and the place and time when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file a statement in writing designating the assessment appealed from with the board on or before the [fifteenth day of November] first day of September

Section 4 Said act is hereby amended by adding after Section 605 a new section to read as follows

Section 605.1 Grantees of Real Property to Register Deed with Chief Assessor It shall be the duty of every grantee of real property to register the deed of conveyance in the office of the chief assessor for the county in which the land or the greater portion of it in area is situated within thirty days from the date of conveyance unless such deed shall have been previously recorded in the office of the Recorder of Deeds

Any person who wilfully fails to comply with the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars (\$50) and not more than one hundred dollars (\$100)

Section 5 Sections 608 612 and 617 of said act are hereby amended to read as follows

Section 608 Assessment of Lands Divided by County Lines The chief assessor shall on all lands made the assessment in the county in which the mansion house is situated when county lines divide a tract of land Whenever the dividing line between two counties shall pass through the mansion house of any tract of land the owner of the land so divided may choose as the situs of assessment either of the counties by a written notice of his election to the commissioners of both counties The assessor of the county so chosen shall assess therein all the tract of land In the event that the owner shall refuse or fail to so choose then the county in which the large portion of the mansion house is situated shall have the right of assessment

Section 612 Assessment of Coal Underlying Lands Divided by County Township or Borough Lines The chief assessor shall where lands underlaid with coal are divided by county city township or borough lines the ownership of which coal has been severed from the ownership of the overlying strata or surface assess each division of said coal in the county city township or borough in which it actually lies

Section 617 Assessing Real Estate Subject to Ground Rent Dower or Mortgage All real estate subject to ground rent dower or mortgage shall be estimated at its full value assessed according to the provisions of section six hundred two and taxed accordingly except in the



case of real estate subject to ground rent where there is no provision made in the ground rent deed that the lessee shall pay the taxes on the ground rent in which cases such ground rent shall be estimated and assessed for taxes to the owners thereof

Section 6 Section 701 of said act as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1229) is hereby further amended to read as follows

Section 701 Appeal Notices (a) Upon receipt of the assessment roll from the assessor or as soon thereafter as possible and not later than the [first day of September] fifteenth day of August the board shall examine and inquire whether the assessments and valuations have been made in conformity with the provisions of this act and shall revise the same increasing or decreasing the assessments and valuations as in their judgment may seem proper and shall add thereto such property or subjects of taxation as may have been omitted It shall [thereupon] within five days after completing said examination and revision cause to be mailed or delivered to each owner of property or person assessed the value of whose property or personal assessment has been changed from that fixed in the preceding assessment roll as corrected after revision at his last known address a notice of such change and the amount of such new assessment Said notice shall state that any person aggrieved by such change or by any assessment may appeal to the board for relief by filing with the board on or before the first day of [October] September a statement in writing of such intention to appeal designating the assessment or assessments by which such person is aggrieved and the address to which notice of when and where to appear for hearing of the appeal shall be mailed

(b) Any person aggrieved by any assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of [October] September file with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of when and where to appear for hearing

No person shall be permitted to appeal from any assessment in any year unless he shall first have filed the statement of intention required by this section nor shall any person be permitted to appeal as to any assessment not designated in such statement

Section 7 Sections 702 703 and 704 of said act are hereby amended to read as follows

Section 702 Appeal Hearings On the first business day following the first of [October] September the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all persons who have stated their intention to appeal have been heard and the appeals acted upon but not later than the first day of December [December] October The board shall notify each person who has filed a statement of intention to appeal of the time and place where he shall appear for the purpose of being heard by depositing such notice in the mail addressed to such person at the address designated in the statement of intention to appeal not later than the fifth day preceding the day designated in the notice for such appearance All hearings on appeals before the board shall be open to the public and shall be conducted in accordance with regulations prescribed by the board Any person may appear and be heard either in person or by counsel At such hearing the board shall inquire as to the equity of the assessment appealed from in relation to other similar assessments as well as to the proper value of the subject or object assessed and after such hearing shall make such order as to it seems just and equitable affirming raising or lowering the assessment appealed from The order of the board shall be entered in the minutes of the board and a copy of such order shall be delivered to the person who appealed either in person or by mail to the address shown in the statement of intention to appeal within five days after

the hearing on such appeal The chief assessor and such assistant assessors as he or the board may designate shall attend each hearing and shall furnish the board with such information relating to the assessment appealed from as the board may desire Either the board or the person appealing may call such witnesses as they desire and as may be permitted under the rules of the board and the board may examine such witnesses under oath For the purpose of examining witnesses any member of the board shall be competent to administer oaths

Section 703 Correction of Assessment Roll Preparation of Duplicates When the board has completed the hearing of appeals and has in each case entered its order the chief assessor shall make such changes in the assessment roll as will make it conform to the orders of the board When such corrections have been made the chief assessor shall prepare three copies of the assessment roll and deliver them on or before the first day of [February] December with his certificate that they are a true copy of the original assessment roll to the following

(1) One copy to the chief clerk of the county commissioners

(2) One copy of such portion of the roll as contains the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary All copies of such roll so furnished shall for all purposes be considered as originals The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions The original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safekeeping of such roll

On or before the fifteenth day of [December] October the chief assessor shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupation and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions

Section 704 Appeal to court from order of board collection pending appeal payment into court any person who shall have appealed to the board for relief from any assessment who may feel aggrieved by the order of the board in relation to such assessment may appeal from the order of the board to the court of common pleas of the county within which such property is situated and for that purpose may present to said court or file in the prothonotary's office within sixty days after the board entered its order on the said assessment a petition signed by him his agent or attorney setting forth the facts of the case and thereupon the court shall proceed at the earliest convenient time to be by them appointed of which notice shall be given to the board to hear the said appeal and the proofs in the case and to make such orders and decrees [touching the matter complained of as to the judges of said court may seem just and equitable having due regard to the valuation and assessment made of other persons or real estate in such county as well as to the proper value of the subject or object] determining from the evidence submitted at the hearing what ratio was used generally in the taxing district and the court shall direct the application of the ratio so found to the value of the property which is the subject matter of the appeal and such shall be the assessment the costs of the appeal and hearing to be apportioned or paid as the court may direct provided however that the appeal shall not prevent the collection of taxes based on the assessment complained



of but in case the same shall be reduced then the excess shall be returned to the person or persons who shall have paid the same and provided further that the appellant may pay the amount of the tax alleged to be due by reason of the assessment appealed from to the tax collector under protest in writing in which case when the tax is paid over to the taxing district it shall be the duty of the tax collector to notify the taxing district of such payment under protest by delivering to it the protest in writing whereupon the taxing district shall be required to segregate twenty-five per centum of the amount of the tax paid over and shall deposit the same in a separate account in the depository in which the funds of the taxing district are deposited and shall not be permitted to expend any portion of such segregated amount unless it shall first petition the court alleging that such segregated amount is unjustly withheld thereupon the court shall have power to order the use by the taxing district of such portion of such segregated amount as shall appear to said court to be reasonably free from dispute and the remainder of the segregated amount shall be held segregated by the taxing district pending the final disposition of the appeal provided further that upon final disposition of the appeal the amount found to be due the appellant as a refund shall also be a legal set-off or credit against any future taxes assessed against the appellant by the same taxing district and where a taxing district alleges that it is unable to thus credit all of such refund in one year the court upon application of either party shall determine over what period of time such refund shall be made and shall fix the amount thereof which shall be credited in any year or years this proviso shall be construed to apply to all refunds that are now due or may hereafter become due as the result of appeals from assessments that have not been finally determined or adjusted at the time this act takes effect regardless whether there has been a payment of any moneys into court or to the tax collector under written protest

On the question,

Will the ouse adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays weretaken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarrafa,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchia,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tabl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dairymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBols,	Kubacki,	Pfaff,	Waterhouse,

Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 796

Mr. HELM. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 796.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 796, entitled: "An act prohibiting the occupation of living quarters over or the depositing of foreign substances in any natural lake or pond which is the source of water used for human consumption; prescribing penalties and authorizing the courts of common pleas to enjoin violations."

Respectfully submit the following bill as our report:

T. N. WOOD,  
JAMES S. BERGER,  
ANTHONY J. DI SILVESTRO,  
(Committee on the part of the Senate.)  
BAKER ROYER,  
ALBERT S. READINGER,  
CHARLES C. SMITH,

(Committee on the part of the House of Representatives.)

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any natural lake or pond which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person who occupies any living quarters or permits another to occupy living quarters owned or under his control in a building over a natural lake or pond which is the source at any time during the year of water for human consumption or who deposits refuse garbage or any other foreign substances in such waters shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of three hundred dollars (\$300) or to undergo imprisonment for six (6) months or both

Section 2 Upon application of the Department of Health or any person particularly aggrieved the court of common pleas of any county sitting in equity may by injunction enforce the compliance with or retain the violation of section 1 of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays weretaken and were as follows:

## YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Brelsch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintees,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. F.,
Oochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varnier,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBols,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker.
Goodling,	Maxwell,		

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1056

Mr. HELM. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1056.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1056, entitled:

"An act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto,' by changing certain penal provisions"

Respectfully submit the following bill as our report:

C. ARTHUR BLASS,  
EDWARD J. KESSLER,  
EUSTACE H. BANE,

(Committee on the part of the Senate.)

EDWIN W. TOMPKINS,  
GEORGE A. GOODLING,  
HARRIS G. BRETH,

(Committee on the part of the House of Representatives.)

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 434) is hereby further amended to read as follows

Section 731 Penalties Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

\* \* \* \* \*

(q) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing as assisting to conceal or having in possession [or attempting to hunt for catch take kill wound or transport] contrary to this article or regulations adopted thereunder by the commission or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk hide or any edible part thereof two hundred dollars and in the discretion of the court six months' imprisonment

II Each deer hide or any edible part thereof one hundred dollars

III Each bear hide or any edible part thereof two hundred dollars

IV Each wild turkey ruffed grouse pheasant quail partidge or woodcock or part thereof twenty-five dollars

V Each raccoon or part thereof twenty-five dollars

VI Each other wild bird or wild animal or part thereof ten dollars

\* \* \* \* \*

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelsch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Westcott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGES

## SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON BILL NO. 1404

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL NO. 1404.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the

reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof

## AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

## SENATE BILL No. 188.

An Act to amend Section 1 and the fourth paragraph of Section 2 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the number of judges of the Municipal Court of Philadelphia

## SENATE BILL No. 230.

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence

## SENATE BILL No. 788.

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain state departments, commissions and officers; authorizing certain State departments, boards, commissions, or officers to collect for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund and providing for the repayment of the original deposit in the permanent lot care fund upon compliance with certain conditions

## SENATE BILL No. 845.

An Act to further amend Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places



## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1641

Mr. MAZZA presented the report of the Committee of Conference on House Bill No. 1641.

The SPEAKER. The report of the Committee of Conference will lie over for printing.

### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 106, as follows:

An Act creating the Commission on Organization of the Government of the Commonwealth providing for the membership of such Commission prescribing its powers and duties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It is hereby declared to be the policy of the General Assembly of the Commonwealth of Pennsylvania to promote economy efficiency and improved service in the transaction of public business in the various legislative bodies courts departments bureaus boards commissions and independent agencies of the Government of the Commonwealth by limiting expenditures to the lowest amount consistent with the efficient performance of essential service and activities eliminating duplication and overlapping of services and activities and defining and limiting functions services and activities

Section 2 For the purpose of determining the necessity for any reorganization and the manner and means necessary to generally accomplish such purposes there is hereby created the Commission on Organization of the Government of the Commonwealth

Section 3 The Commission shall be composed of nine members to be appointed by the Governor

Section 4 The members of the Commission shall receive no compensation but shall be entitled to reimbursement for all travel subsistence and other necessary expenses incident to the performance of their duties

Section 5 The Commission shall have power and authority to appoint and fix the salaries of such personnel as it deems necessary to carry out the purposes for which it is created including attorneys experts and specialists on a full or part-time basis

Section 6 The Commission shall forthwith make a study and investigation of the present organization and methods of operation of all legislative bodies courts departments bureaus boards commissions and independent agencies of the Commonwealth to determine what changes if any are necessary in its opinion to accomplish the purpose of this act and the Commission shall make a complete report of its findings and recommendations to the next regular session of the General Assembly

Section 7 The Commission shall have power to hold such hearings and sit and act at such times and places take such testimony as the Commission may deem advisable and shall have the power to issue subpoenas in the usual manner to summon witnesses or compel the production of books records or files

Section 8 It shall be the duty of every legislative body court department bureau board commission and independent agency of the Government to supply and furnish to the Commission or any member thereof such records statistics suggestions estimates and similar information as may be requested

Section 9 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is appropriated to the Commission on Organization of the Government of the Commonwealth for the purposes of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendening,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dairymple,	Kline,	Penglase,	Varner,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBois,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Flip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker
Goofling,	Maxwell,		

### NAYS—0

### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 104.

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary confinement in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring



powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole and reparole of absolute discharge of persons so sentenced and the procedure relating thereto

SENATE BILL No. 188.

An Act to amend Section 1 and the fourth paragraph of Section 2 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the number of judges of the Municipal Court of Philadelphia

SENATE BILL No. 230.

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence

SENATE BILL No. 319.

An Act to further amend Section 1 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing for the method of valuation of taxable shares of stock in any regulated investment company

SENATE BILL No. 482.

An Act to amend Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government

SENATE BILL No. 500.

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such author-

ities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class

SENATE BILL No. 504.

An Act to further amend the title and section 2.1 of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer sewerage and sewage treatment services

SENATE BILL No. 586.

An Act relating to the administration without the appointment of a guardian of estates valued at one thousand dollars or less of weak minded persons drug addicts and inebriates and providing a procedure therefor.

SENATE BILL No. 636.

An Act to amend subsection (a) of Section 9 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," by authorizing investments in common stocks and similar securities of unincorporated associations meeting certain qualifications; and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies.

SENATE BILL No. 644.

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from



the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for distribution of copies of audits made by the Department of Auditor General.

#### SENATE BILL No. 653.

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employe providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by providing for a uniform permanent record system in the boards for the assessment and revision of taxes providing for a committee to prepare such system and conferring powers and imposing duties upon the boards for the assessment and revision of taxes the chairman of the Local Government Commission and chief assessors

#### SENATE BILL No. 654.

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing for the collection and distribution of said taxes by the bureau; further regulating the sale of properties turned over to the bureau by county commissioners and taxing districts, and of properties purchased at tax sales by county commissioners under the provisions of said act; imposing certain costs upon the taxing districts, and further providing for the execution of deeds.

#### SENATE BILL No. 729.

An Act to repeal Sections 2 and 3 of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city" eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking

#### SENATE BILL No. 765.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing the definition of wages as to the rights and obligations of employers and employes where a successor-in-interest has acquired assets of a predecessor

#### SENATE BILL No. 788.

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots requiring a fixed percentage of the sale price of burial lots to be added to such fund and providing for the repayment of the original deposit in the permanent lot care fund upon compliance with certain conditions

#### SENATE BILL No. 823.

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employes in addition to their retirement allowances



## SENATE BILL No. 831.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employes to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

## SENATE BILL No. 832.

An Act to amend rule fifty-five of article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of a prop puller

## SENATE BILL No. 845.

An Act to further amend Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places

## SENATE BILL No. 869.

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employes retirement fund in counties of the second class to beneficiaries having heretofore retired

## SENATE BILL No. 883.

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 264) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by clarifying certain provisions thereof and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure

## SENATE BILL No. 891.

An Act to further amend section 1001 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating

to cities of the third class and amending revising and consolidating the law relating thereto" by permitting employes of school districts to serve as councilmen

## SENATE BILL No. 656.

An Act to amend section 401 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by changing the provisions relating to the appointment of chief assessors requiring that the chief assessor devote a major portion of his time to his office providing for examinations for chief assessors and creating a committee to prepare and supervise such examinations

## SENATE BILL No. 759.

An Act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions

## SENATE BILL No. 898.

An Act to amend Section 322 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further defining eligibility for the office of school director

## HOUSE BILL No. 269.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases

## HOUSE BILL No. 620.

An Act to amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor Stores for



the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores

#### HOUSE BILL No. 629.

An Act to establish a separate orphans' court in and for the county of Beaver.

#### HOUSE BILL No. 811.

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

#### HOUSE BILL No. 984.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance.

#### HOUSE BILL No. 1030.

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages

#### HOUSE BILL No. 1039.

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises

#### HOUSE BILL No. 1057.

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon

the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses.

#### HOUSE BILL No. 1060.

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food changing certain requirements relating to the serving of food

#### HOUSE BILL No. 1097.

An Act to further amend subsection (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the designation of thru highways and stop intersections in second class townships.

#### HOUSE BILL No. 1100.

An Act to amend sections 464 and 471 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further defining the powers of courts on appeal



## HOUSE BILL No. 1102.

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid

## HOUSE BILL No. 1116.

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

## HOUSE BILL No. 1196.

An Act to amend clause (15) of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the batement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the Cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act

## HOUSE BILL No. 1287.

An Act to further amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage on a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further limiting the amount which may be invested in shares of other banking institutions

## HOUSE BILL No. 1293.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled

"An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include vehicles of the tractor type authorizing the Secretary of Revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines

## HOUSE BILL No. 1294.

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the operators of tractors shall be licensed under the Vehicle Code and further providing for the equipment of tractors

## HOUSE BILL No. 1331.

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation

## HOUSE BILL No. 1338.

An Act to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by increasing the fee for learner's permits; and appropriating



the increase for the teaching in the public schools of safe driving of motor vehicles

#### HOUSE BILL No. 1350.

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to mobilization or demobilization of civilian manpower

#### HOUSE BILL No. 1370.

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-four hours the work week of police officers except in emergencies and fixing minimum annual vacation for police officers 14 working days

#### HOUSE BILL No. 1428.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act

#### HOUSE BILL No. 1429.

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 209) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices

#### HOUSE BILL No. 1503.

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval

providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress

#### HOUSE BILL No. 1505.

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

#### HOUSE BILL No. 1533.

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further providing for payment of the compensation of local registrars

#### HOUSE BILL No. 1546.

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors

#### HOUSE BILL No. 1603.

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

#### HOUSE BILL No. 1607.

An Act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor



## HOUSE BILL No. 1640.

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board

## HOUSE BILL No. 1648.

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county board of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election

## HOUSE BILL No. 1660.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened

## HOUSE BILL No. 1671.

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads

## HOUSE BILL No. 1676.

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system

including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time

## HOUSE BILL No. 1680.

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

## HOUSE BILL No. 1690.

An Act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund

## HOUSE BILL No. 1715.

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

## HOUSE BILL No. 1727.

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further providing for certain minimum and maximum pensions

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 334, Printer's No. 449 together with communication from the Senate be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

## HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 334.

An Act to amend the act approved the tenth day of

March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursement by the Commonwealth to school districts and vocational school districts

With the information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 333.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of minimum salaries and increments of county and district superintendents assistant county and district superintendents teachers supervisors principals supervising principals and other employes

#### HOUSE BILL No. 334.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursement by the Commonwealth to school districts and vocational school districts

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 862

Mr. SOLLENBERGER presented the report of the Committee of Conference on House Bill No. 862.

The SPEAKER. The Report of the Committee on Conference will lie over for printing.

### PERMISSION TO ADDRESS HOUSE

Mr. LOPRESTI asked and obtained unanimous consent to address House.

Mr. Speaker, it appears to me at this time that the Appropriations Committee of this House has just about completed its work. I do not expect to see any more appropriation bills reported out. I would, therefore, at this time like to make a statement and enter a protest to what I think has been a shirking of its duty by this Commonwealth and by this House and Senate.

I noticed today in glancing over the appropriation bills that we have made an appropriation to the Fire Department, or to the various Fire Departments in the city of Harrisburg amounting to approximately \$5,000 for the protection of these grand marble palaces which we have here in Harrisburg. Yet, Mr. Speaker, we have neglected to provide any fire protection for a little institution lying in the hills of Allegheny County, three miles above Cresson, about 2300 feet above sea level.

This institution is composed of a great number of buildings only 25 percent of which are fire-resistant. They have a maintenance force there of men who leave at 4 o'clock in the afternoon. From 4 o'clock in the afternoon until 7 o'clock in the morning there is no force there to protect that institution from fire, to take those tubercular patients out of those buildings in event a fire should occur.

It is my solemn opinion that this Commonwealth has a duty to those people who are lying in the beds of that tubercular hospital to provide fire protection for that institution.

Up until a short time ago the Cresson Volunteer Fire Association received from the Commonwealth \$500 a year toward furnishing that fire protection. At this particular session a bill was introduced asking for an appropriation of \$1000 for this biennium for that particular volunteer fire company that is furnishing fire protection to that particular institution.

At this time when the Commonwealth was giving this company \$1000 every two years, this Volunteer Fire Company got sufficient equipment to take care of our tubercular institutions and they got two 750-gallon pumpers especially equipped to make that run up a three mile grade in order to take care of that institution. Then after they had spent that money the appropriation of this Commonwealth was cut off. It certainly would not be a very good spectacle, in my opinion, if we were to have a blaze, and Lord pray that it does not happen, and the Cresson Volunteer Fire Company should say, "it is not our obligation to go up to that institution. It lies beyond the borders of our borough and we have no obligation to protect it." It certainly would be a sad spectacle and a black eye for the Commonwealth of Pennsylvania.

I do not know what the answer is, but I do say this: that if we continue over a period of years to neglect fire protection for institutions in this Commonwealth, sooner or later something is going to happen which is going to make this Commonwealth a disgrace among the States of this Union. So, when I look into the future I hope that the future House, the future Appropriations Committee, future administrations will see far enough in advance to make appropriations not only for the Cresson Sanatorium but for all institutions that are situated in such a position as is the Cresson Sanatorium.

It is our duty to provide that fire protection and I hope all of you who come back to this House will bear in mind that the state is neglecting its solemn duty to protect those poor unfortunate people throughout the Commonwealth of Pennsylvania, not only in Cresson but throughout the Commonwealth of Pennsylvania. I think in the future we should make plans in this vast budget of ours to provide a few paltry thousands to take care of the disabled and the sick.

### MR. SOLLENBERGER IN THE CHAIR.

### PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, while we are on the question of appropriations, I think the Appropriation Committee was remiss in its duty when it did not make an appropriation to a gentleman, a Member of this House, who served many of its Members during this past year. The name of the



gentleman is Dr. Sarraf. I know we all owe him a vote of thanks for the help he has given the Members of this House all throughout the year.

Dr. SARRAF. Mr. Speaker, I will admit I am guilty but you must remember I took an oath, and I have no other compensation whatever. Your thanks is plenty for me. I want to thank you all.

### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address House.

Mr. Speaker, I would like to direct the attention of all the Members of the House—Senators retire to their chairs; all those not privileged to the floor, please retire outside the rail. Even the Senator who is talking to Mr. Kent, will be kindly be seated.

The SPEAKER. The Senators are invited to be seated.

Mr. ANDREWS. Mr. Speaker, you have upon your desk a resolution signed by a majority of the Members of the Committee on Railroads and Railways requesting the Chairman of that Committee to call a meeting. It is my understanding that the Chairman of that Committee led the other members of the Committee to believe that a meeting would be called immediately following the recess.

It would appear that the Chairman of that Committee is not within the Hall of the House, and the Vice Chairman of the Committee is not within the Hall of the House. However, a majority of the members of this Committee are in the Hall of the House.

It is essential, in the interest of the bill, that if the Members desire to consider the bill there be a meeting of the Committee during this legislative day, and I rise to request the cooperation of the Chair, the Parliamentarian, the Chief Clerk and the Sergeant at Arms to make such arrangements as will make it possible for the Committee to meet.

The SPEAKER. The remarks of the gentleman will be noted upon the record.

The Chair would request the cooperation of the members of the Committee on Railroads and Railways to make an effort to communicate with the Chairman of the Committee, and to remain in the Hall of the House until the question is decided.

The House will be at ease awaiting the decision of the Committee of Railroads and Railways.

### SENATE MESSAGE

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the Housue of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 502.

An Act to amend the title and Section 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class

authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain power upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class and exempting public utilities from the obligations imposed in said act

#### SENATE BILL No. 503.

An Act to amend the title and Section 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting public utilities from the obligations imposed therein

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 502.

An Act to amend the title and Section 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or changes imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayment of municipal authorities organized by cities of the third class and exempting public utilities from the obligations imposed in the said act

#### SENATE BILL No. 503.

An Act to amend the title and Section 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or changes imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting public utilities from the obligations imposed therein

Whereupon,  
The SPEAKER, in the presence of the House, signed the same.

### PETITION

#### REQUESTING THE CALLING OF A MEETING OF THE COMMITTEE ON RAILROADS AND RAILWAYS

The SPEAKER laid before the House a petition which was read by the Clerk as follows:

House of Representatives, Harrisburg, Pa.

We, the members of the Railroad Committee of the House of Representatives request that the Chairman, Vice-Chairman or the Speaker call this committee together immediately.

H. R. McInroy, Daniel H. Erb, Vincent F. Gutendorf, Marion L. Munley, George H. McConnell, John C. Miller, A. Metz, D. W. Hoggard, Martin Taylor, Albert L. Pfaff, Edward A. Schuster, William Limper, James L. Gaffney, Edwin F. Thompson.

Mr. METZ. Having signed that request under a misapprehension I would like to have my name withdrawn Mr. Speaker.

The SPEAKER. If there are no objections the gentleman's name will be withdrawn from the petition.

The Chair hears none.

Mr. McINROY. The petition that was just read, not realizing the full implication of it, and thinking it was just a simple request to call the committee, I signed it hurriedly; but knowing the full implication of it now and asking your indulgence because being a new Member and not speaking on the merits as to whether I am for the bill or against it, I wish to have my name withdrawn from the petition.

The SPEAKER. If there are no objections the gentleman's name will be withdrawn.

The Chair hears none.

Mr. ANDREWS. Mr. Speaker, may I inquire how many names remain upon the petition.

The SPEAKER. For the information of the gentleman at the present time, there are twelve names remaining on the petition which the Chair has laid before the House.

### PARLIAMENTARY INQUIRY

Mr. ADREWS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. How many Members constitute a majority of that committee?

The SPEAKER. It is the opinion of the Chair that twelve Members constitute a majority of the Committee of Railroads and Railways, twenty-two members having been appointed.

Mr. ANDREWS. Then what would be the status of the petition Mr. Speaker?

The SPEAKER. For the information of the gentleman, at the present the petition apparently has a sufficient number of names on it to invoke the Rules of the House.

### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, there has been some intimation, that perhaps improper pressure was brought upon some of

the Members of this House to induce them to sign that petition.

I call the attention of the Speaker, and I call the attention of the Members of the House to the fact that since this proceeding began there has been a systematic canvass upon the part of certain agencies to induce Members to withdraw.

For my own part I was perfectly willing that the Members, without being pressured, be permitted to go into a room and themselves decide; and the decision the Members arrived at as to whether or not they wanted to withdraw names be arrived at by them. There should have been an immediate report. These proceedings should not be prolonged to the end that the Members who have not withdrawn be canvassed and pressured to withdraw.

What I desired from the first was a candid fair expression of opinion upon the part of the Members, not upon the part of the Pennsylvania Railroad or anyone of its representatives. It has appeared that certain persons, not members of the Committee but Members of the House, perhaps improperly interested themselves in its proceedings.

But we have also witnessed the fact that it has been inspired by sources not properly entitled to the floor and sources not present upon the floor and that there has been a systematic canvass to induce a change of opinion.

I welcome any change of opinion that Members arrive at by themselves unpressured.

The SPEAKER. The chair is in sympathy with the statement of the Minority Leader. The Chair wishes, however, particularly to concur in the willingness to permit the Members to state their intentions and to withdraw if in their own opinion they so desire. If the Members wish to state their reasons, the Chair will also gladly hear their reasons.

Mr. McCONNELL. Mr. Speaker, as a member of the Committee on Railroads and Railways I wish to withdraw as an applicant for a meeting this evening, inasmuch as we do not have the Chairman and Vice Chairman present. I wish to withdraw my name.

The SPEAKER. Without objection the gentleman's name will be withdrawn.

Mr. ANDREWS. Mr. Speaker, I was interrupted and I did not get the import of what the gentleman who just addressed the Chair said. I would like to have the gentleman repeat it for my information.

Mr. McCONNELL. Mr. Speaker, for the information of the Minority Leader, as a member of the Railroad Committee, I wish to withdraw my signature for a meeting of the Railroad Committee this evening inasmuch as the Chairman, and the Vice Chairman are not here. You understand?

### PETITION FALLS

The SPEAKER. Less than the majority of the Committee on Railroads and Railways now desiring to maintain their names on the petition requesting the calling of a meeting of that Committee the petition falls.

### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.



Mr. Speaker, I want to pay tribute to the efficiency and diligence of the Intelligence Department of the Pennsylvania Railroad which can by direct and indirect means infiltrate itself into the proceedings of this House.

Very neatly done; a very effective piece of work. I think instead of having a fifty-first Senator, we should create by resolution a two hundred and ninth Member of the House.

The SPEAKER. The Chair wishes to state that it is the

intention of the Chair at all times to comply with the wishes of the Members.

#### ADJOURNMENT

Mr. H. W. PRICE. Mr. Speaker, I move that this House do now adjourn until Thursday, December 20, 1951, at 12:00 noon.

The motion was agreed to, and (at 11:56 p. m.) the House adjourned.





# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., THURSDAY, DECEMBER 20, 1951.

No. 108.

## SENATE

THURSDAY, December 20, 1951.

The Senate met at 2 o'clock, p. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:  
The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of The Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

O God, give us courage to obey our consciences before Thee, knowing that if Thou dost approve our actions, nothing else really matters, and that unless Thou dost approve our deeds they cannot long endure. So may we sleep well at night, at peace with ourselves and with Thee. So may we advance the real welfare of our party and serve the greater welfare of the Commonwealth. In Jesus' Name, Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. SNOWDEN, further reading was dispensed with, and the Journal was approved.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 20, 1951.

Mr. BARR. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg, December 20, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby, to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Sidney J. Lipsitz, Pittsburgh, 1144 Portland St.

#### DELAWARE COUNTY

Harry B. Davis, Chester.  
Joseph Zommick, Chester.

#### ERIE COUNTY

Miss Beatrice M. Harper, Erie.

#### LEHIGH COUNTY

Edward C. Nogay, Allentown.  
Vincent J. Pietrobon, Bethlehem.

#### LYCOMING COUNTY

William H. Brand, Williamsport.

#### MONTGOMERY COUNTY

Daniel J. Marcy, Lower Merion Twp., Ardmore.

#### NORTHAMPTON COUNTY

Miss Margaret Greenstein, Bethlehem.

#### NORTHUMBERLAND COUNTY

William F. Brown, Sunbury.  
Miss Violet M. Smith, Sunbury.

#### PHILADELPHIA COUNTY

Elmer T. Guthrie, 1118 Cottman St.  
Arthur J. McGinnis, 320 Public Ledger Bldg.  
Michael F. Rafferty, 5715 Germantown Ave.  
Milton J. Springs, 1429 Ridge Ave.

#### WASHINGTON COUNTY

Miss Margaret B. Oslund, Washington.

#### YORK COUNTY

Mrs Edith T. Brandt, Carroll Twp., Dillsburg.

JOHN S. FINE.

A motion was made by Mr. WALKER and Mr. BARR, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreech,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## HOUSE MESSAGES

### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1065 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

and has appointed Messrs. WOOD, JOHNSON and READ-INGER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

The PRESIDING OFFICER. The message will be laid on the table.

### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1188 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrences in Senate amendments to House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

and has appointed Messrs. WOOD, JOHNSON and READ-INGER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1494 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrences in Senate amendments to House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

and has appointed Messrs. WOOD, JOHNSON and READ-INGER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

## HOUSE BILL FOR CONCURRENCE

He also, presented for concurrence bill of the House, as follows: House Bill No. 1604, entitled:

An Act prohibiting the use of diesel powered locomotives, pumps, or other machinery or other locomotives, pumps, or machinery powered by internal combustion engines or motors in coal mines.

Which was committed to the Committee on Mines and Mining.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 640

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 640, entitled:

An Act to amend the act approved the sixth day of June, 1893 (P. L. 326), entitled "A supplement to an act, entitled 'An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon,' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven," by correcting the name of said institution and of the governing board thereof.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 819

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 819, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1141

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1141, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1150

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1150, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art—Textile Institute, Philadelphia.



# HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1165

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1165, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia.

# HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1488

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1488, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

# HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1497

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1497, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Act No. 141), entitled "The Mental Health Act of 1951," by changing and adding definitions; further providing for the licensing of private institutions, the functions of various State institutions, the procedure relating to the admission, commitment, transfer, escape, discharge, leave of absence, care, rights and employment of patients, and in certain cases, the costs incident thereto, and relating to the appointment of guardians of the person: removing inoperative and unnecessary provisions; making editorial changes; and adding and changing penalties.

# HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE HOUSE BILL No. 1056

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by providing additional penalties.

The PRESIDING OFFICER. The report of the Committee of Conference will appear on the Calendar.

# HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 655

He also informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and per-

sons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and changing procedure on appeals to court.

# HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 796

He also informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption; prescribing penalties; and authorizing the courts of common pleas to enjoin violations.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

# BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 269, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases.

House Bill No. 620, entitled:

An Act to further amend clause (b) of Section 201 of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34 P. L. 15), entitled, as amended "Pennsylvania Liquor Control Act" by further providing for the fixing of sale prices for Pennsylvania liquor stores.

House Bill No. 629, entitled:

An Act to establish a separate orphans' court in and for the county of Beaver.

House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May, one thousand nine hundred thirty-

three (P. L. 103), entitled "The Second Class Township Law" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties, to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection.

House Bill No. 984, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for exceptions to compulsory attendance.

House Bill No. 1030, entitled:

An Act to further amend Section 643 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by prohibiting minors from delivering liquor or malt and brewed beverages.

House Bill No. 1039, entitled:

An Act to amend section 401 and 406 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 21), entitled "Liquor Code," by permitting certain sales of liquor for consumption off the premises.

House Bill No. 1057, entitled:

An Act to add Section 6.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by authorizing the issuance of limited real estate brokers' and salesmen's license within a limited field or branch of the real estate business and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses.

House Bill No. 1060, entitled:

An Act to amend the act approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 21), entitled "Liquor Code," by making the serving of food optional with certain licenses and changing certain requirements relating to the serving of food.

House Bill No. 1097, entitled:

An Act to further amend subsections (a), (b) and (c) of Section 1112 of the act, (approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing the designation of thru highways and stop intersections in second class townships.

House Bill No. 1100, entitled:

An Act to amend section 464 and 471 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21) entitled "Liquor Code," by further defining the powers of courts on appeal.

House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims; and providing rights of action to recover such liens if not paid.

House Bill No. 1116, entitled:

An Act to further amend Section 1 and 2 of the act approved the twenty-fourth day of July, one thousand

nine hundred thirteen, (P. L. 965), entitled "Commodities Weight and Measure Law," by defining further words and terms and regulating the sale of certain additional commodities.

House Bill No. 1196, entitled:

An Act to amend clause (15) of the second paragraph of Section 493 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "Liquor Code," by making the cashing of Public Assistance checks by licensees of the Pennsylvania Liquor Control Board an unlawful act.

House Bill No. 1287, entitled:

An Act to further amend subsection B of section one thousand nine of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled as amended, "Banking Code," by further limiting the amount which may be invested in shares of other banking institutions.

House Bill No. 1293, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "Motor Vehicle Safety Responsibility Act," by clarifying and extending the provisions of the act to include certain vehicles of the tractor type; and making editorial changes.

House Bill No. 1294, entitled:

An Act to amend the title of, and the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by deleting from said act all provisions relating to operators, operators' licenses, and trailers; and further providing for the equipment of tractors.

House Bill No. 1331, entitled:

An Act authorizing and directing the Department of Highways, to erect and maintain a bridge over the Susquehanna River, between a point in or near the Borough of Millersburg, Dauphin County, and a point in Perry County, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages; and making an appropriation.

House Bill No. 1338, entitled:

An Act to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the fee for learner's permits; and appropriating the increase for teaching of safe driving of motor vehicles.

House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the allocation of funds to school districts for programs essential to mobilization, or de-mobilization, of civilian manpower.

House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by limiting to forty hours the work week of police officers in certain cases.

House Bill No. 1428, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," by



defining "prescription," further providing for meetings of the board and examination of pharmacists by the board, further regulating experience requirements of applicants for examination and registration as pharmacists; exempting physicians from certain requirements of the act.

House Bill No. 1429, entitled:

An Act to amend Section 1 of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 299), entitled "A supplement to an act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," providing for the registration of apprentices in pharmacy, requiring employers of such apprentices to see that they are registered, and imposing penalties," by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two, four, five, seven and fifteen of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "Fire Safety Building Regulation Law," by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists, covering in Class I buildings not formerly covered, authorizing the increase of ways of egress, and further providing for the safety of the public in motion picture theatres.

House Bill No. 1505, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties," by further providing for the licensure and regulation of such nursing homes and hospitals.

House Bill No. 1533, entitled:

An Act to further amend Section 28 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "Uniform Vital Statistics Act" by further providing for payment of the compensation of local registrars.

House Bill No. 1546, entitled:

An Act to amend Section 504 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further regulating the operation and maintenance of cafeterias by boards of school directors.

House Bill No. 1603, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Section 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse.

House Bill No. 1607, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof; authorizing the Department of Labor and Industry, after public hearing, to prescribe uniform regulations for safety in design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes, and for the odorization of said gases used therewith; prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act; providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty thereof.

House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further providing for the compensation of the return board.

House Bill No. 1648, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further regulating the date of the primary election.

House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by requiring that logs, carried on certain vehicles and trailers, be securely fastened.

House Bill No. 1671, entitled:

An Act to amend Section 902 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions, ordinances, agreements and resolutions laying out or vacating public roads.

House Bill No. 1676, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number, hours and days of classes in certain emergencies for a limited period of time.

House Bill No. 1680, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

House Bill No. 1690, entitled:

An Act to add Section 12.2 to the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1046), entitled "School Employees' Retirement Law," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

House Bill No. 1727, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," by further providing for certain minimum and maximum pensions.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### REPORTS FROM COMMITTEES

Mr. CHAPMAN, from the Committee on Appropriations re-reported as amended, House Bill No. 759, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation, protection and development of buildings and grounds at Ephrata Cloisters, a famous historical shrine belonging to the Commonwealth.

Mr. CROWE, from the Committee on Mines and Mining reported as committed, House Bill No. 1604, entitled:

An Act prohibiting the use of diesel powered locomotives, pumps, or other machinery or other locomotives pumps, or machinery powered by internal combustion engines or motors in coal mines.

### REPORT FROM THE JOINT STATE GOVERNMENT COMMISSION

#### RELATING TO THE DECEDENTS' ESTATES LAWS OF 1951

Mr. WALKER, on behalf of the Joint State Government Commission, submitted the report relating to the Decedents' Estates Laws of 1951, Incompetents' Estates Act of 1951, Register of Wills Act of 1951, Orphans' Court Act of 1951 and Estate Tax Apportionment Act of 1951.

The PRESIDING OFFICER. The report will be noted in the Journal.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 3:30 o'clock, p. m., Eastern Standard Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as fol-

lows, and referred to the Committee on Executive Nominations.

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 20, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Addison I. Hixon, R. D. 1, Eightyfour, Washington County, for appointment as Justice of the Peace in and for the Township of Nottingham, Washington County until the first Monday of January, 1954, to fill a vacancy.

JOHN S. FINE.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor.

Senate Bill No. 615, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of peace, the courts and the clerks thereof owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds;" by increasing annual registration fees for certain commercial motor vehicles, truck tractors, trailers and semi-trailers; prescribing additional equipment requirements for certain vehicles; increasing the maximum gross weights and axle loads allowed for certain vehicles; changing the requirements for weighing vehicles and removal of excess loads; and prescribing and changing penalties.

Senate Bill No. 793, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation, not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.



Senate Bill No. 867, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of May, one thousand eight hundred seventy-four (P. L. 159), entitled "An act relating to compulsory arbitrations," by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg, Pennsylvania with private capital, the solicitation of such capital, and the acceptance of such chapel by the Commonwealth.

Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

Senate Bill No. 881, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County.

Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.

Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, for live stock killed by or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," by increasing the maximum amounts of payments by the State for registered and unregistered cattle.

Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable

as well to private and parochial schools; amending, revising consolidating and changing the laws relating thereto," by authorizing attendance of school directors at meetings of educational or financial advantage to the district, and providing for the payment of their expenses.

Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for creation of the office of associate superintendent in third class districts.

Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by imposing a penalty on school districts for employing substitute teachers where vacancies exist.

Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies, with the approval of the Governor, to remise, quitclaim and convey to the Burgess and Town Council of the Borough of Warren, Pennsylvania, all right, title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren; providing for the disposition of the proceeds of the sale; and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 359), entitled "A supplement to the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties," by making certain editorial changes.

Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by further providing for refusal to issue and revocation of licenses.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

## HOUSE MESSAGES

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 61, entitled:

An act making an appropriation to the National Agricultural College Farm School Pennsylvania, at Doylestown, Pennsylvania.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 258

He also returned to the Senate, Senate Bill No. 258, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 283

He also returned to the Senate, Senate Bill No. 283, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 284

He also returned to the Senate, Senate Bill No. 284, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades, for maintenance.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 286

He also returned to the Senate, Senate Bill No. 286, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 405

He also returned to the Senate, Senate Bill No. 405, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital, to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital; and making an appropriation therefor.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 465

He also returned to the Senate, Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 546

He also returned to the Senate, Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans, soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 551

He also returned to the Senate, Senate Bill No. 551, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

with the information that the House has passed the same without amendments.

## SENATE BILL No. 816 RETURNED WITH AMENDMENTS

He also returned to the Senate; Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.



The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 917 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate, projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing flood control projects and increasing the borrowing capacity of the Authority.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question of personal privilege.

Mr. WALKER. Mr. President, we have come almost to the end of the twelfth month of a very difficult and a very trying Session. There have been a lot of things that have occurred during the past twelve months which have been difficult, personally, for quite a number of the Senators to absorb. There have been a lot of things said and a lot of things done that I know if a great many of us could return and erase a single line of it, we would be very happy to do so. Friendships long established are very difficult to break, and there are a lot of things which have been written by people whose methods of expression are a lot better than mine wherein they have explained very carefully that friendships are formed because our friends know us, our strength and our weaknesses, and still appreciate our friendship.

Mr. President, during the 1949 Session we had a very friendly and a very cooperative combination on the Majority side and a very pleasant quartet arrangement, and I want to take this opportunity now, Mr. President, to publicly say one or two things that perhaps would have been best left unsaid but, at least, should not have been said until we came into the closing hours of this Session.

Mr. President, I first want to say publicly to the Republican Caucus that from the bottom of my heart I

deeply appreciate the courtesy which I have received from all the Members of the Republican Caucus, and I appreciate the honor of being the Republican Floor Leader during this long and difficult Session. You have been very patient with me, you have been tolerant of my mistakes, you have been very forgiving of my sins of omission and commission.

I want to say to the Minority that I appreciate also their unfailing courtesy and their cooperation during these months. It has been difficult, I know, when we have been obliged to explain to you, perhaps a little roughly, that thirty votes constitute a majority, and when you are in the minority sometimes you get driven over a rough road at a rapid speed.

To Senator Dent, my long-time friend, thanks very much for all the fine things, the fine expressions and the extension of friendship which I have received from you during these months.

To the employees, I cannot begin to tell you how grateful we all are for the long hours you have suffered with us. It will be surprising to me if one of the first requisitions we receive for the 1953 Session will not be for large sponge rubber cushions for each and every one of you so that the waiting, at least, would be a little more comfortable.

Mr. President, here on the Republican side of the aisle we have this combination, Senator Taylor, the President pro tempore of the Senate, Senator Berger, the Chairman of the Caucus, Senator Hare, the Majority Whip, who have had added to them additional measures of responsibility because of a temporary realignment of the Majority forces, and through circumstances which were entirely beyond their control, additional problems were presented to them for solution and additional responsibilities were handed to them, and they have done a marvelous job in holding that Caucus together. Mr. President, there is no way in which I can express to the Caucus or to Senator Taylor, Senator Berger and Senator Hare, how grateful I am to them for these twelve months of toleration. It is impossible to express it verbally, it is impossible to express it physically, but in a weak attempt I say to the Caucus, to the duly elected leadership, I thank you from the bottom of my heart.

Mr. President, I have taken the liberty of having prepared a slight token of my appreciation, and if Senator Berger will shift his feet just a little to the east. Senator Taylor, from the bottom of my heart, thank you very much.

(Gifts presented to Senator Berger and Senator Taylor.)

Mr. BERGER. Thank you very much, Senator Walker.

Mr. WALKER. Now, Mr. President, if the Sergeant-at-Arms will come down here and take this up to "Casey," the Presiding Officer, back to Somerset go the best wishes from Allegheny.

(Gift presented to Presiding Officer.)

The PRESIDING OFFICER. The Chair thanks the gentleman from Allegheny.

#### PERSONAL PRIVILEGE

Mr. BERGER. Mr. President, I rise on a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Potter, Mr. Berger, will state his question of personal privilege.

Mr. BERGER. Mr. President, we all know without my repeating it that the words which Senator Walker spoke here at the microphone were true in so far as they relate to the long and arduous Session which we have put in together here over the past twelve months. I want to take this opportunity to thank all of the Members of the Republican Caucus for their courtesy to me and their cooperation in getting the work of the Caucus done.

Mr. President, I want to thank the Members of the Minority Party for their uniform courtesy and kindness toward me in everything in which I have been engaged in this Senate, and to the Majority Leader and the Majority Whip, and particularly to the President pro tempore, I want to extend my heartfelt thanks and appreciation for all of their kindnesses, and to Senator Walker particularly for this gift given here today. Thank you.

### PERSONAL PRIVILEGE

Mr. TAYLOR. Mr. President, I rise on a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Duaphin, Mr. Taylor, will state his question of personal privilege.

Mr. TAYLOR. Mr. President, unaccustomed as I am to public speaking and being the errand boy of the Senate and the Governor, words are feeble at a time like this, but I do appreciate the courtesy not only extended to me from the Republican side but I think I have been extremely fortunate in having friendships which I would not give up for anything from that side of the house over there.

Senator Walker, I want to thank you for this personal gift and when I go home I am going to give "Mom" my love for you.

### HOUSE BILL No. 1065 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table the message from the House of Representatives on House Bill No. 1065.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1065

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE BILL No. 1188 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table the message from the House of Representatives on House Bill No. 1188.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1188

Mr. WALKER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silver,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

### NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### SENATE RESOLUTION

#### COMMENDING THE MEMBERS OF THE PENNSYLVANIA LEGISLATIVE CORRESPONDENTS ASSOCIATION

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate December 20, 1951.

Whereas the members of the Pennsylvania Legislative Correspondents Association assigned to cover the sessions of the General Assembly were officially recognized for the first time under an amendment to the Senate rules this year, and,

Whereas, the members of said Association, the oldest of its kind in the United States, have at all times conducted themselves in a manner befitting the proud traditions of the Senate of Pennsylvania, and,

Whereas, the accurate and unbiased reporting of the Senate's proceedings is essential to the proper operation of the democratic system of government in Pennsylvania, and,

Whereas, the members of said Association have lived up to their heritage of a free and unshackled press and have fully justified the confidence which the Senate placed in them by official recognition, therefore,

Be It Resolved, that the Senate do now compliment the members of said Association for a job well and faithfully done, and,

Be It Further Resolved, that a copy of this resolution



tion be transmitted to the Pennsylvania Legislative Correspondents Association for preservation in its archives.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 598

Mr. STEVENSON. Mr. President, I wish to report for the Committee of Conference on Senate Bill No. 598, entitled:

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right.

The Committee of Conference were unable to agree on the bill to dissolve the differences existing between the House of Representatives and the Senate, and I wish to file the report.

The PRESIDING OFFICER. The Report of the Committee of Conference will be laid on the table.

CALENDAR

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 545, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further providing for determination of the compensation to be paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Slause (d) of section 404 of the act approved the first day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to prove moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (Act No 408) is hereby further amended to read as follows

Section 404 Rate and amount of compensation Compensation shall be paid to each eligible employe in accordance with the following provisions of this section except that compensation payable with respect to weeks ending in benefit years which begin prior to the first day of October one thousand nine hundred fifty-one shall be paid on the basis of the provisions of this section in effect at the beginning of such benefit years

\* \* \* \* \*

(D) Notwithstanding any other provisions of this section each eligible employe who is unemployed with respect to any week ending subsequent to the effective date of this act shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less [(1)] that part of the remuneration if any paid or payable to him with respect to such week which is in excess of five dollars (\$5.00) [and (2) the amount of any pension or retirement payment paid or payable to him with respect to such week from any fund annuity or insurance which is financed in whole or in part by payments or premiums paid by a base year employer] such compensation if not a multiple of one dollar (\$1.00) shall be computed to the next higher multiple of one dollar (\$1.00) provided that if at the end of any calendar quarter the balance in the unemployment trust fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employe for a week of unemployment ending during the next calendar quarter shall not be in excess of twenty dollars (\$20.00)

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply with respect to all claim weeks ending subsequent to the first day of October one thousand nine hundred fifty-one

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO HOUSE BILL No. 545, RECALLED  
FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 545, recalled from the Governor.

Mr. WOLFE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Haluska,*	Meade,	Taylor,
Barr,	Holland,	Neff,	Toole,
Barrett,	Kephart,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DISilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.	Stiefel,	Presiding Officer

NAYS—2

Berger,	Kessler,
---------	----------

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.



## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 27, as follows:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees including teachers and other employees of the public school system and officers and employees of State-aided institutions of learning requiring oaths or affirmations by applicants for public office or employment and by present appointed officers and employees prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to State-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on State and local appointing authorities and certain other State officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Loyalty Act"

Section 2 Definitions For the purposes of this act

"Organization" means an organization corporation company partnership association trust foundation fund club society committee political party or any group of persons whether or not incorporated permanently or temporarily associated together for joint action or advancement of views on any subject or subjects

"Subversive Organization" means any organization which engages in or advocates abets advises or teaches or a purpose of which is to engage in or advocate abet advise or teach activities intended to overthrow destroy or alter or to assist in the overthrow destruction or alteration of the constitutional form of the government of the United States or of the Commonwealth of Pennsylvania or of any political subdivision of either of them by force or violence

"Subversive person" means any person who commits attempts to commit or aids in the commission or advocates abets advises or teaches by any means any person to commit attempt to commit or aid in the commission of any act intended to overthrow destroy alter or to assist in the overthrow destruction or alteration of the Constitutional form of government of the United States or of the Commonwealth of Pennsylvania or any political subdivision of either of them by force or violence or who is knowingly a member of a subversive organization or a foreign subversive organization as defined in this act

"Appointing Authority" means any person department board commission or other agency of the Commonwealth or of any political subdivision thereof who appoints or employs officers or employees

Section 3 Ineligibility for Employment or Appointment to Office No subversive person as defined in this act nor any person as to whom on all the evidence there is reasonable doubt concerning his loyalty to the Government of the United States or the Commonwealth of Pennsylvania shall be eligible for employment in or appointment to any office or any position of trust or profit in the Government of or in the administration of the business of this Commonwealth or of any school district county municipality or other political subdivision of this Commonwealth

Section 4 Procedure in Appointments Statement and Oath of Applicants Every appointing authority shall establish by rules regulations or otherwise procedures designed to ascertain before any person including teachers and other employees of the public school system is appointed or employed that he is not a subversive person and that there is no reasonable doubt on all the evidence as to the loyalty of the person involved to the Government of the United States or the Commonwealth of Pennsylvania In the event the applicant is deemed to be a subversive person or in the event reasonable doubt as to loyalty exists he shall not be appointed or employed In

addition each applicant shall be required to make a written statement under oath or affirmation which statement shall contain notice that it is subject to the penalties of perjury and shall be in the following form

"I ..... do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of ..... with fidelity

"And I do further swear (or affirm) that I do not advocate nor am I knowingly a member of any organization that advocates the overthrow of the Government of the United States or of this Commonwealth by force or violence or other unconstitutional means or seeking by force or violence to deny other persons their rights under the Constitution of the United States or of this Commonwealth

"And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Commonwealth of Pennsylvania (or political subdivision thereof)"

Section 5 Present Employees Oath discharge the appointing authority of each person including teachers and other employees of the public school system who on the first day of March one thousand nine hundred fifty-two shall be in the employ of the Commonwealth of Pennsylvania or of any of its political subdivisions other than those holding state or local elective offices of any kind shall require such person to and every such person shall on or before the first day of April one thousand nine hundred fifty-two make a written statement under oath or affirmation which statement shall contain notice that it is subject to the penalties of perjury and shall be in the following form

"I ..... do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of ..... with fidelity

"And I do further swear (or affirm) that I do not advocate nor am I knowingly a member of any organization that advocates the overthrow of the Government of the United States or of this Commonwealth by force or violence or other unconstitutional means or seeking by force or violence to deny other persons their rights under the Constitution of the United States or of this Commonwealth

"And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Commonwealth of Pennsylvania (or political subdivision thereof)"

Any person failing or refusing to execute either statement required hereby shall be discharged immediately by the proper appointing authority

Section 6 Investigations Any appointing authority may at any time upon written complaint investigate any person including teachers and other employees of the public school system appointed or employed by him to determine whether he is a subversive person If upon any investigation it appears that such person is a subversive person The person shall immediately be privately and confidentially notified of the recommendation by the appointing authority No public announcement release statement or comment concerning the investigation recommendation or notification shall be made by the appointing authority in any way whatsoever unless and until the person so notified is discharged under Section seven of this act

Section 7 Hearing Before Appointing Authority Any person including teachers and other employees of the public school system who has been so notified under this act shall have a right to a hearing before the proper appointing authority within thirty (30) days after receiving said notification If no hearing is requested within thirty (30) days after said notification is received the person shall immediately be discharged by the appoint-



ing authority he may appear before such appointing authority personally accompanied by counsel or representative of his own choosing and present evidence on his own behalf through witnesses. The person who has been so notified shall at the same time be further informed in writing of such hearing at least ten days before the day set for the hearing and shall be informed therein of the nature of the charges against him and the person who has been so notified shall be informed in the notice (1) of his right to reply to such charges in writing within ten days after the date of service (2) of his right to a hearing on such charges before the appointing authority which hearing may be private and confidential or may be public at the option of the person so notified and (3) of his right to appear before such appointing authority personally to be accompanied by counsel or representative of his own choosing and to present evidence on his own behalf through witnesses. If after due hearing it is determined by the appointing authority by a fair preponderance of the evidence that the person who has been so notified is a subversive person as defined in this act. The person who has been so notified shall be discharged otherwise the recommendation shall be ignored said determination shall be made within sixty (60) days after the hearing if the appointing authority shall be comprised of three or more members. A vote of two-thirds of the members shall be necessary in order to discharge a person.

Section 8 Standards (a) The standards for the refusal of employment on grounds relating to loyalty shall be that on all the evidence there is a reasonable doubt as to the loyalty of the person involved to the Government of the United States or the Commonwealth of Pennsylvania.

(b) Activities and associations of an applicant which may be considered in connection with the determination of ineligibility may include but shall not be limited to one or more of the following

(1) Sabotage espionage or attempts or preparations thereof or knowingly associating with spies or saboteurs

(2) Treason or sedition or advocacy thereof

(3) Advocacy of revolution or force or violence to alter the constitutional form of Government of the United States or the Commonwealth of Pennsylvania

(4) Intentional unauthorized disclosure to any person under circumstances which may indicate disloyalty to the United States or the Commonwealth of Pennsylvania of documents or information of a confidential or non-public character obtained by the person making the disclosure as a result of his employment by the Commonwealth of Pennsylvania or any political subdivision

Section 9 Appeals to the Civil Service Commission after a final determination of discharge under this act by an appointing authority. Any person other than teachers and other employees of the public school system in the employ of the Commonwealth or of any political subdivision who believes himself aggrieved by the determination may appeal from the determination by an application in writing to the Civil Service Commission of the Commonwealth within twenty days after receiving written notice of the determination. The commission shall set a time and place for hearing the appeal on the record which hearing shall not be more than thirty (30) days after receipt thereof and give due notice of said hearing to the appellant and to the appointing authority whose determination is under review. The hearing shall be held by the commission or by a person or persons not exceeding three designated by the commission in writing to hear the appeal in its behalf. The commission in its discretion may designate such person or persons to hear the appeal and to report to the commission. The report shall be acted upon by the entire commission. The persons so designated by the commission may be officers or employees of the Civil Service of the Commonwealth. The person or persons holding the hearing may make such inquiry as may be deemed advisable within sixty (60) days after the hearing on appeal. The commission shall affirm or reverse the findings and determination under review and in the

case of reversal shall order the reinstatement of the appellant who shall be entitled to back pay from the date of his discharge for the purposes of this section officers and employees of the Department of Public Instruction or of any of its departmental administrative boards or commissions shall not be construed to be employees of the public school system. They shall be entitled to appeal to the Civil Service Commission as provided herein.

Section 10 Appeals to the Superintendent of Public Instruction. After a final determination of discharge under this act by an appointing authority any teacher or other person employed in the public school system of the Commonwealth who believes himself aggrieved by such determination may appeal on the record from the determination by an application in writing to the Superintendent of Public Instruction of the Commonwealth within twenty days after receiving written notice of such determination. The Superintendent shall set a time and place for the hearing of the appeal which hearing shall be not more than thirty (30) days after receipt thereof and give due notice of said hearing to the appellant and to the appointing authority whose determination is under review. The hearing shall be held by the Superintendent or by a person or persons not exceeding three designated by the Superintendent in writing to hear the appeal in his behalf. The Superintendent in his discretion may designate such person or persons to hear such appeal and to report to him the persons so designated by the Superintendent may be officers or employees of the Civil Service of the Commonwealth. The person or persons holding the hearing may make such inquiry as may be deemed advisable within sixty (60) days after the hearing on appeal. The Superintendent shall affirm or reverse the findings and determination under review and in the case of reversal shall order the reinstatement of the appellant who shall be entitled to back pay from the date of his discharge.

Section 11 Evidence in proceedings taken pursuant to this act. Evidence shall be restricted by the rules of evidence and procedure prevailing in the courts. All testimony shall be given under oath or affirmation and the right of subpoena shall be accorded to either the appointing authority or the person so notified any judge of a court of record either in term time or in vacation shall upon proper application of the appointing authority or person so notified compel the attendance of witnesses the production of books and papers and the giving of testimony before the appointing authority by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before such court. Reasonable examination and cross-examination shall be permitted.

Section 12 Appeals to court (a) the decision of the civil service commission or the superintendent of public instruction shall be final unless within thirty (30) days after receipt by registered mail of written notice of the decision or order of the civil service commission or the superintendent of public instruction an appeal which may be taken by either party is taken therefrom to the court of common pleas of the county in which the proper appointing authority is located a copy of such appeal shall be filed in writing in the office of the prothonotary and a copy shall be served on the civil service commission or the superintendent of public instruction either by filing it in the office of the civil service commission or the superintendent of public instruction or by delivering the same to the civil service commission or the superintendent of public instruction.

(b) When appeal is taken from the decision of the civil service commission or the superintendent of public instruction to the court of common pleas the judge of the court of common pleas to whom such petition is presented shall fix a date for hearing by the court which shall be not sooner than ten (10) days nor more than twenty (20) days after the presentation of such petition if the employee aggrieved shall so request in his petition such hearing shall be de novo upon the hearing of said petition the court shall make whatever order it considers just either affirming or reversing the action of the civil service commission or the superintendent of public instruction.



tion and stating plainly whether the employe is to be discharged

Section 13 State-aided institutions of learning no appropriation of public funds made after the first day of May one thousand nine hundred fifty-two of any character shall be paid by the Commonwealth to any state-aided institution of learning not a part of the public school system unless there shall be filed annually on or before the first day of September with the Governor (with copies furnished to the President of the Senate and to the Speaker of the House of Representatives) on behalf of the institution a written report setting forth what procedures the institution has adopted to determine whether it has reason to believe that any subversive persons are in its employ and what steps if any have been or are being taken to terminate such employment. The report also shall unequivocally set forth that the institution has no reason to believe any subversive persons are in its employ if the report shall be approved by the Governor he shall notify the auditor general and the state treasurer that the provisions of this section have been complied with

Section 14 Candidates for elective offices No person shall become a candidate for election under the provisions of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) known as the "Pennsylvania Election Code" and its amendments to any state district county or local public office whatsoever in this Commonwealth unless he shall file with his nomination petition nomination paper or nomination certificate a statement under oath or affirmation that he is not a subversive person as defined in this act which statement shall contain notice that it is subject to the penalties of perjury. No nomination petition nomination paper or nomination certificate shall be received for filing by any county board of elections or by the secretary of the commonwealth unless accompanied by the statement required hereby nor shall the name of any person who has failed or refused to make the statement be printed on any ballot or ballot label to be used at any general municipal primary or special election

Section 15 Effect and applicability of act (a) the provisions of this act shall not affect the right to discharge any person for any cause other than those provided for by this act or without cause under existing law. No procedure provided by any existing tenure or civil service law shall be applicable in any proceeding under this act

(b) The provisions of this act shall not apply to exchange teachers who are citizens or subjects of a foreign government and whose appointments to teach in the public school system of the Commonwealth of Pennsylvania have been approved by the superintendent of public instruction

Section 16 Specific repeals The act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 530) entitled "An act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of the public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases" is hereby repealed

Section 1122 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" and its amendment is hereby repealed insofar as it authorizes termination of the contract of a professional employe for advocating or participating in un-American or subversive doctrines

Section 17 The provisions of this act shall become effective on the first day of March one thousand nine hundred fifty-two

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 27

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 27.

Mr. BERGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LEADER. Mr. President, this is one of the first bills that was presented to the Senate of Pennsylvania in the early days of this present Session. The fact is that the bill was introduced on January 15, and as I look over the History of Senate Bills I see that it requires the better part of a half page to show all the various maneuvers which this bill has gone through during this legislative Session. It has been one of the most controversial of all bills during this Session. There was a public hearing held by the House, a very short part of which I was able to attend, unfortunately, but, nevertheless, they did hold a public hearing and many fine organizations presented their feelings on this bill, and there were very many fine labor organizations and church groups who expressed their opposition to this bill.

Mr. President, there have been many many amendments to this bill. In fact, when you look at the bill you will find that only the first few pages have any of the print in small case. The bulk of it is a new bill which was given to us by the House, and it is returned to us now at the eleventh hour for consideration. The fact is it is no longer referred to simply as the Pechan Bill, but it is now known as the "Pechan-Kunzig Bill."

Mr. President, I do not pretend to be an authority on this bill. It has been in such a constant state of change that I have been barely able to keep track of it, but I have looked it over as a layman, not as an attorney, and I find it has many many new provisions, and here we are at this moment asked to concur in what is virtually a new bill without any opportunity to make amendments or to make any suggestions for changes.

Mr. President, last week the gentleman from Armstrong, the sponsor of this bill, made a very lengthy statement in support of this measure, and if I had answered the gentleman at that time, as some of my colleagues did who are not the least emotionally disturbed, I might have been guilty of saying some things which I would live to regret. The fine spirit that existed here in the Senate, which our distinguished Majority Leader referred to awhile back, may not have prevailed for the moment. Nevertheless, there are a few comments which I should like to make at this time.

Mr. President, the gentleman from Armstrong led us to believe that all the students in our great universities who oppose this bill are communists or, apparently, have communistic leanings. I believe that there are as many good loyal patriotic American students in our colleges and universities today as there were when the good



Doctor was a student, as there were when Judge Michael Musmanno was a student, and as there were when I was a student in one of the colleges and one of the universities in this great Commonwealth. In particular, there were several barbs aimed at one particular anonymous R.O.T.C. student who happened to attend one of these mass meetings which Judge Musmanno addressed. Now, I do not believe that he wanted to cast aspersions on the entire R.O.T.C. program. I did not happen to be an R.O.T.C. student, but I knew many of them and they were mighty fine students, and I know for a fact that they made a splendid record in World War II, and many of those former R.O.T.C. students are making an equally splendid record in the present conflict in Korea.

Mr. President, you know this bill, this type of legislation, depends a great deal on our philosophy of education. I believe, and I believe it is the feeling, the belief, of most educators in our public school system today, that in the schools we must teach people to differentiate. We do not need to entirely concentrate all of the time, all of the years that we keep our students in school today, on indoctrination, indoctrination and more indoctrination. I have enough confidence in the students in the Commonwealth of Pennsylvania and in America today to believe that if they are given the facts of the case, they are going to come up with the right decisions. I have heard it said time and again that the strength of the American Armed Forces was not in the fact that we had goose-stepped the people in our military services into automatons as has been the effort in some of the dictatorial countries with which we have dealt in recent years, but in the ability of the American soldier, sailor and marine to make a decision on his own in that critical moment when he could not receive the orders from his immediate superior. I have heard it said, too, that in the Soviet Union one of the great limiting factors on their scientists is the fact that they are under constant direction from the government and are not given the freedom of thought, the freedom to search, the freedom to test and the freedom to try, and this is the strength, I believe, of our American scientists that they are given that freedom.

Apparently, Mr. President, the universities, the three universities named and Penn State, are to be given some sort of special consideration under this piece of legislation, and I think perhaps it was a very good move. On the other hand, I am wondering if the universities, the only place where any scientific information, I believe, will actually be dealt with, can operate under a different plan in order to guarantee the loyalty of their faculties, why cannot that same plan be applied to our State Teachers Colleges? Why cannot that same plan be applied to our public school system, and let our public school teachers be responsible to the chief administrator of the system who, in turn, would be responsible to the Governor of the Commonwealth? You know, I think it is a policy, and not being in the Majority Party I cannot vouch for this, but I hope the distinguished Majority Leader will correct me if I am wrong, I believe it is party policy that the county chairmen in the various counties endorse people who are applicants for jobs in State Government, and I am not so sure that even in the Democratic counties it may not be true that people

get endorsements for various positions in local government. Now, if that is the case I believe it is highly unlikely that a county chairman, when he appoints a party faithful, whether he be a loyal Democrat or a loyal Republican, would recommend a subversive, but if he should be so mistaken as to recommend a subversive for a job, we have a very splendid law dealing with this matter at the present time, and I would like to read a very short part of it to you now. The 1929 Administrative Code states in Section 3307:

"No person who hereafter advocates or participates by an overt act or acts in an un-American or subversive doctrine shall be permitted to be employed in any capacity by any department, board, or commission or other agency of this Commonwealth or any county, city, borough, incorporated township, school district, vocational school district or institution district thereof or any authority or institution which is supported in whole or in part out of public funds." I believe that covers the situation rather thoroughly.

Mr. President, the Senator from Armstrong, in his speech a few days ago, referred to some organization of teachers in Philadelphia, consisting I believe of about 197 members, who had not only spearheaded the fight against this bill but who apparently were, according to his interpretation, the major portion of the opposition to his bill, as being a very subversive group. Now, I do not know anything about that group, but I do know that we have a very splendid provision in our School Code which would have permitted the school authorities in Philadelphia to deal with that problem, and I would like to read a very small portion of that to this body. This is Section 1122 of the School Code, 1949:

"The only valid causes for termination of contract heretofore or hereafter entered into with a professional employee shall be immorality, incompetent, intemperance, cruelty, persistent neglect, mental derangement, advocacy or participation in un-American or subversive doctrines."

Mr. President, I believe this would be sufficient for the school directors of Philadelphia to deal with that problem. I believe that we are all aware that these school directors took an oath when they took office, and I think that they are bound by that oath to carry out the provisions of this law. I wonder what the suggestion would be of the gentleman from Armstrong as to how we should deal with this particular problem and what service this oath might be in coping with it.

Mr. President, I am a Serviceman, I belong to three of the Service organizations, the AMVETS, Veterans of Foreign Wars and the American Legion, and I believe that those organizations stand for many fine things. I felt that way when I joined them, and I still feel that way. I am sorry I am not able to agree with some of the leadership, of some of those organizations at the present moment, but I do know that among the rank and file members there are many of them who do not have a friendly feeling toward this type of legislation. I believe, too, that if the veterans' organizations think about this carefully, those same groups who a few years ago went to Washington during the Eightieth Congress and had a bill passed which provided that the ten-point veteran shall go to the top of the civil service lists in the order



of their marks, those veteran organizations that went to Washington and came to Harrisburg and fought for bonuses and fought for a G.I. Bill of Rights, I believe if they had thought about this matter deeply they would have realized that they were asking something of some of their membership and of veterans in general which was not quite fair, and that is they are asking people who are veterans, who have bared their breasts to the enemy on one or more occasions, to take an oath of allegiance to the State or the Commonwealth after they have pretty conclusively proven their loyalty. I believe, certainly, if we have a bill of this type those people should be exempted.

Mr. President, I believe that the only reason, perhaps, that the universities and Penn State receive favored treatment in this bill is perhaps because of the prestige of an Eisenhower and Stassen and the other gentlemen who came here at the semi-public hearing in the Conference Room just after this bill left the Senate. Unfortunately, the organizations that represent some of these other people were tied up pretty tightly with pieces of legislation dealing with increases in salaries and so forth, and I am afraid that they neglected some of their duties in getting the proper consideration for the members of their group. I hope that they will not wind up in years to come and look back on this and feel that, perhaps, they sold their soul for a mess of pottage.

Mr. President, the teaching profession, as we all know, has lost a great deal of prestige in recent years. There was a time when the teachers stood in our society just next to the clergy and were held in very high esteem and in very high regard. With greater and greater emphasis in our civilization on prestige being the result of annual income, teachers have fallen. I think we did a noble thing in this Session when we partially dealt with that problem and made some real progress, and I do not think that it will be at all wise for us now to relegate our teachers to second class citizenship during this same Session when we have made such splendid strides forward on the salary end of it.

Mr. President, I want to say, concluding, that I do not believe that we should accept this virtually new bill with no chance to amend, without submitting it to a conference committee for a very very careful study. Our Democracy is founded on the basis that a man is innocent until he is proven guilty, that he has the freedom of life, liberty and the pursuit of happiness. Let us not deal lightly with this very important matter, and may I respectfully suggest to the gentlemen of the Senate, Mr. President, that we refer this bill to a conference committee for further careful study.

Mr. McGINNIS. Mr. President, when this bill was here before, I voted against it and spoke against it. I said then that it would not catch a single communist and would do nothing but create trouble. I am thoroughly convinced myself that the originator of this bill was a communist. I do not charge the Senator from Armstrong with being a communist, but I am convinced that the originator of this bill dropped it into the lap of some Legionnaire or veteran, and they dropped it into Senator Pechan's lap. We all know that it has been the policy of Moscow in all the satellite countries which they have taken over to first create division in that

country, get the people divided amongst themselves and then step in and take it over. This bill is doing that very thing.

Mr. President, I say to you that the teachers of this State have rebelled against this bill all over the State, and will continue to rebel against it because they feel that it is not necessary, they feel that it is an infringement on their rights, they feel that it is tyrannizing their minds in this State, and any bill that will tyrannize the minds of the teachers of Pennsylvania should not become law.

Mr. President, I always have gone back to my idol, Thomas Jefferson, when any proposition like this comes up. He made this declaration once. "I have sworn on the altar of God eternal hostility against every form of propaganda that tyrannizes the mind of man," and here today I protest against this bill as being a trouble-maker, as causing division in our State already. As Senator Pechan the other night said, quoting that letter he had from Judge Musmanno who went up to speak to a college group up here of 400, they almost had a riot.

Now, Mr. President, those things are not good for our Country and it is not good for our State to have this troublesome bill adopted.

Mr. PECHAN. Mr. President, I do not want to detain you or prolong this agony. I want to say that I am not too happy with the version of the bill which was presented to me by the House after having offered these many amendments. However, as to some of them which were introduced in the House I may claim some of the responsibility, because I have spent hundreds of hours studying this bill, not only with House Members but with school teachers, with lawyers and with everybody concerned.

Mr. President, I want to say something about the tactics that have been used against this bill. If the Members of the Senate will recall, Senator Leader, who voted finally against the passage of this bill in the Senate on March 28, each day before that final date he would come to me and offer amendment after amendment after amendment. Some of this we expected from his colleagues. Some of them we turned down. Now, somebody has been coaching him, somebody has been telling him what to do and how to do it. What he tried to do then was to kiss the bill to death and, of course, he did not get that done. Now he wants this bill in conference. It is not my fault that the bill laid in the House from March 28 until this past week. Certainly after the bill left the Senate, it was not my prerogative to go over to the House and urge its passage as some of the opponents of the bill urged its defeat.

Now, Mr. President, if you will just remember what happened here a couple of months ago, weeks, months and even six months ago, when people were going around the Capitol, both in the Senate and in the House, wearing signs protesting against the Pechan Bill. Now, with all that money, with all that time, with all those trips, that this group spent coming down from Philadelphia they were able to muster seventeen votes in the House against this bill, and after having spent twelve months out of my office, I would like to have one-tenth of the money that they have spent, just that one group fighting this bill.



Mr. President, my friend, Senator McGinnis, and he is a very good friend of mine and I have all the respect in the world for him, talks about the teachers rebelling. Now, I do not know whether he is talking about those 197 teachers who belong to the Philadelphia Teachers Union and the other small groups that are in Philadelphia, but for his information I can tell him that the Pennsylvania State Education Association, which has 60,000 members, does not oppose this bill and they have not.

Mr. President, I do not want to go into the differences in the bill as it passed the Senate and in the version which we now have, but I will just read a statement which I prepared this morning.

Mr. President, the "Pennsylvania Loyalty Bill" is in many ways the same as the original Senate Bill No. 27, Printer's No. 101, which passed the Senate on March 28, 1951, but has certain important differences. The definition of "foreign subversive organization" has been taken out of the bill. The power given the Attorney General of Pennsylvania by the Senate to designate organizations as subversive has been taken away. To be a subversive person because of membership in a subversive organization, one must have been knowingly such a member. The word "knowingly" was added by the House. We did that because we did not want to malign any innocent person, and nobody at any time can say that I have accused anybody of being a communist or a subversive, so help me God. I do not know a communist personally, but I am interested in keeping those people who are "parlor pinks," who are subversives, out of our schools in teaching a foreign philosophy to these adolescents and molding their thinking.

Yesterday, Mr. President, a group of children was here, I believe, from the Reading High School. They were just babies, fifteen and sixteen years old. Some of them were for the loyalty bill, others were not. Those who were not, the twig was being bent to the molding of the thought of that particular teacher. Now, it is their prerogative to be against the Pechan Loyalty Bill. That is not what we are interested in. What we are interested in, and I think all decent Americans are interested in, is to see that we do not get subversives entrenched in our schools before it is too late.

Mr. President, I have yet to get one letter from any municipal, or government or State employee who is opposed to this bill. The opposition all came from a certain group which started out by making a lot of misstatements, a lot of half-truths and confusing the good teachers. As I said here last week, I am sure that in Pennsylvania ninety-nine per cent plus of our teachers are loyal to our Country and to our State, and I want to keep it that way.

Mr. President, some of the papers have been attacking the Pechan Loyalty Oath Bill. It is not the Pechan Loyalty Oath Bill, nor is it an American Legion Bill, it is the Pennsylvania Loyalty Oath Bill, because when it started out it had four pages and I think today it has thirty-two or maybe thirty-four. As to the "reasonable doubt" feature, some of the Philadelphia papers have been attacking the loyalty oath bill of Pennsylvania because of the words "reasonable doubt," yet if you read those two papers last night and the night before, on their editorial pages they will tell you that if it were not for that clause, "reasonable doubt," in the Federal

law, they would not have gotten rid of John Service who gave away secret documents to a man in the Amerasia case, as you will all remember.

Mr. President, the wording of the actual oath to be taken by teachers and public employees was changed slightly to bring it in line with the oath taken by Federal employees, but there are no material or basically important differences between the present oath and the one in Printer's No. 101, as it was passed by the Senate.

The House of Representatives set up a definite procedure to be followed in appointments of governmental personnel and teachers. Under the House version, no one who is a subversive person or as to whom there is reasonable doubt concerning his loyalty to the government of the United States or to the Commonwealth of Pennsylvania may be appointed or employed by the State. Each applicant is still required, however, to take an oath, much the same as that prescribed by the Senate in Printer's No. 101. Present employees are also required to take the oath, the same as was prescribed by the Senate.

Mr. President, on written complaint, any appointing authority may investigate a teacher or any one employed by the government to determine if the person is subversive. If the person is determined to be subversive, he is notified privately and confidentially, and may have a hearing before the appointing authority, which hearing may also be private and confidential, at the option of the accused person. The person shall be discharged if by a fair preponderance of the evidence it is determined that the person is subversive.

Many safeguards are set up to protect the rights of the individual. Standards were created in the House version of the bill. Government employees may appeal to the Civil Service Commission and teachers may appeal to the Superintendents of Public Instruction. Evidence in proceedings, under this bill, is restricted by the rules of evidence and procedure prevailing in the courts. The right of subpoena is accorded to both side. If the decision is still against the accused, he may then appeal to the common pleas court of the county in which the appointing authority is located. Here he has the right again to a hearing de novo, thus giving the accused, in effect, three hearings. He may then, of course, appeal to higher courts if he so desires, in the same manner as any other appeals may be taken under the law.

No appropriation of public funds may be paid to State-aided institutions of learning unless they file annually with the Governor (with copies to the President of the Senate and the Speaker of the House of Representatives) a written report setting forth what procedures the institution has adopted to determine if any subversive persons are in its employ. The report must also state what steps are being taken to terminate such employment. This section of the bill would apply to the University of Pennsylvania, the University of Pittsburgh, Temple University and Penn State.

Under the House version of the bill, Mr. President, no person may become a candidate for election unless he signs a statement under oath that he is not a subversive person as defined in this bill. A similar provision in the Maryland law has already been declared constitutional by the Supreme Court of the United States. The



bill does not affect the right to discharge any person for any other cause which is proper under existing law.

The bill also, Mr. President, does not apply to exchange teachers who are citizens or subjects of a foreign government, and whose appointment to teach in our school system has been approved by the Superintendent of Public Instruction. Two prior conflicting laws, at present on our books, are amended only in so far as the new Loyalty Bill takes their place and is substituted for them. The bill would become effective March 1, 1952.

Mr. President, I am not going to plead my case any longer. I just want to say that the Pennsylvania Loyalty Oath Bill is a parallel with the Federal bill. Every Federal teacher at West Point, at Annapolis and every Federal employee takes substantially the very same oath that we have in Senate Bill No. 27.

Mr. FREED. Mr. President, when this bill was in here the first time, I believe definitely I should have been in the hospital for that particular week, but I certainly want to put my little bit in at this time.

Now, Mr. President, I would like to say just a little something about Senate Bill No. 27. I do not believe this is just a Pechan bill. I do not like to say anything about this gentleman from Armstrong, Senator Pechan, since I am a "rookie" in the Senate, but way back in 1943 and 1945, if he looks up the record in the House, he will find at that time that Representative Freed tried to accomplish the thing which is being tried to be accomplished in this particular Pechan bill. I think we should start at the roots of the thing, to try to accomplish this particular thing, and that is what I tried back in 1943-45.

Mr. President, if the records are cleared, you will find that back in 1943-1945, Representative Freed talked at length and was successful in kicking out of the Normal Schools at that time a book which definitely dealt on communism and put communistic countries above the United States of America. I was fortunate in getting them out of the Normal Schools, but up until this very date I have been unfortunate in getting them out of the very place they should be out of, and that is our public libraries for which we have in this particular Session created funds to distribute books across the Country and all over the Country, so that the rural sections could read them as well as the city sections. I still think we should go into those libraries and get those books out of there. There are some books in there which are definitely not decent, and one author who has a book in there about this communistic thing, he turns around and wants to tell you all the things which are right for these girls and boys who are in these schools, what they should do with each other and do with themselves. That is perfectly all right if their minds are clear, but I think we should get those things straightened out as well as this particular thing.

Mr. President, I agree with Senator Pechan, and even though he calls me a "rookie" in this particular Senate, even though I believe I can go back to 1939, it is perfectly all right for the Doctor to call me that because I will stand on my record as to what I have been trying to do with respect to this particular thing right here. I think that we should go along the line of Americanism. If you go back and look back to before I ever came into the Senate, I said that a notary public should definitely be somebody who helps to keep this government right and

straight by seeing that a person is able to cast his particular vote. I worked along that particular line right up to this particular end, and I think if more of us would turn around and whenever we are asked for a favor, tell them, "If you are an American, I will try to do that for you, but if you are against us and you are for the subversives, I am not interested in even talking to you." So, for that particular reason I think whatever little good there is in this Senate Bill No. 27 we should be for it, put it across and put those people in their place.

Mr. SILVERT. Mr. President, I intend to take but a very short time, first, to say that I do not doubt Senator Pechan's sincerity in thinking that this bill will do some good. However, some of us on this side do not agree with him. Mr. President, we do not agree because we feel that loyalty is not created by an oath, that loyalty is a matter of the heart and soul and that an oath will not change it. It will do no good, and will embarrass a great many loyal American citizens.

To add one more thought, Mr. President, each of us Senators here took an oath to support the Constitution of Pennsylvania when we took office. I just would like to call to the attention of this Senate that one of the provisions of our Constitution is to reapportion our Legislative Districts in the State of Pennsylvania, that is the House and the Senate, every ten years. Everybody knows that there has been no reapportionment of either the House or the Senate since 1921. In other words, in spite of our oaths, this Senate and the House have been derelict for a period of thirty years in doing what our Constitution has mandated we should do, and yet we took an oath. I mention this to show that you cannot create loyalty by oaths. Members of the Senate, I have had a bill in here to reapportion this Senate. It has been in committee for two or three months. That bill is still in committee. I intend to vote against the concurrence in these amendments.

Mr. MALLERY. Mr. President, when the Pechan Bill, Senate Bill No. 27, passed the Senate there was no discrimination between the effect the bill would have upon teachers in our public schools and instructors and professors in our State-aided colleges. There were admittedly imperfections in the Pechan bill as it passed the Senate, and the House has made considerable improvement in the bill, but I have never gotten over my disgust at the attitude taken by the presidents of our State-aided colleges when they discuss the matter of academic freedom. I do not believe in academic freedom when the matter of loyalty to our Country is involved, so that under the bill, as it passed the Senate, the bill would have had this effect upon any professor in our State-aided colleges who would be indoctrinated with the ideas of communism, if that were determined and had he taken the oath, he would be liable for perjury and he would have gone to the penitentiary.

Mr. President, under this bill as it now stands, the only thing that can happen to that professor is that he may be taken off of the payroll, and in the first place he should never have been on the payroll if he wanted to teach communism. I say that the college presidents have assumed a great deal of responsibility in relying on themselves to keep communism out of our State-aided colleges, and I think it would be advisable, and I want to suggest this, that if communism does rear its ugly



head in any of our State-aided colleges, I would suggest that the president of such institution resign immediately.

Mr. President, I intend to vote for this bill, but the veterans in my district and the public school teachers are resentful that we have amended the bill in that respect. I do not believe there is a communist among all of the public school teachers in my district, and they are resentful and rightfully resentful, but they are good Americans and they will take this oath.

Mr. LEADER. Mr. President, I do not want to prolong this unduly, but I have just a few brief remarks which I would like to make since my name was referred to on the floor of this Senate.

Mr. President, I agree with Doctor Pechan in that I do not like the version of this bill either, but there is one thing, one privilege he had in the House which many of us did not have, including myself, and that is he takes credit, and rightfully so I believe, for some of the amendments which were placed in this bill. I can take no credit for them, and I had no opportunity to present them.

Mr. President, Senator Pechan mentioned, too, that I attempted to amend the bill. If the good Senator's memory serves him well, I think there were just two amendments I offered, neither one of which I believe, from all evidence received very much if any consideration. I do not know how many days, I am willing to take the responsibility for two legislative days of delay, if he will somehow or other explain who was responsible for the other eleven and one-half months of delay.

Mr. President, Senator Pechan credits me, too, with coaching from somewhere. I could use a lot of coaching here as a freshman Senator, and I wish I had access to some of the departments here, as some of the Majority Party do, so that I could learn more. A little while back I was treated very courteously in one of the departments in trying to gather information with a view to getting some helpful legislation to deal with the teacher shortage that we are going to have in Pennsylvania over the next ten years. There will be a shortage of approximately, according to estimates of the department, 1700 teachers a year, and I did get some very helpful information on that problem. However, neither the department nor any Member of this General Assembly has come up with any constructive legislation to deal with this very very important problem, and I could use some help.

Mr. President, I feel that possibly the gentleman from Armstrong is a little bit in the position of the wayward husband, showering his attention upon his wife. I think perhaps there may be reason for some little suspicion. The fact is, as I listened to this wonderful address he delivered last week, and I hoped I would not be pressed into the position that I would have to refer to it, I thought of a Bible quotation, the one that says, "The hand is the hand of Esau, but the voice is the voice of Jacob," and I do not know whose hand, whose voice, whose thoughts and whose ideas, but I do believe if we may refer to this bill before us at this time, I believe that we can say, not is the old bill possibly beyond a reasonable doubt, but I believe that there is a preponderance of evidence which might give us some idea where this address came from. Nevertheless, I have not had any coaching. I do not think I did a very good job opposing this bill, and if Senator Pechan feels that I might have had coach-

ing, I want to say to the gentleman from Armstrong that I am flattered. I am a freshman Senator here. I have had very few opportunities. I have taken very few opportunities. I have taken very few opportunities to address this Body. I did not feel that I had anything of such a great value to say or of such great importance that I wanted to take the time of this important group of men. However, without taking away anything from my background as a loyal American, from a family background which dates back to the Revolutionary War, from my ancestors who fought in that war along with many of your ancestors, we have never flaunted our patriotism by joining organizations which attempted to flaunt the patriotism of their ancestors on the people of today; we have never participated in that as a family, and we do not intend to, but I do not intend to sit idly by here and see the patriotism of the family of Leader, my own family of which I am very proud, have reflections cast upon it.

Mr. President, I believe this is a bad piece of legislation, sincerely. I believe that it might be corrected. I believe some of the amendments that were voted down in the House by a very few votes would have improved this bill. I have been told by some of the Members that some of those votes were cast for Members who were not even in the House at the time. I believe we need to take time for thought and reflection on this matter, and I ask for that time very sincerely.

Mr. McCREESH. Mr. President, I voted for this bill about four months ago, and I am going to vote for it again. I came from a foreign country, and I am very proud that I have made a good living for my family and myself.

Mr. President, I cannot see why I should refuse to vote for this bill. I do not see why any person coming to this Country, the greatest Country in the world, should stand up and vote against this bill. This is a good bill in my estimation. It may not be perfect, it might have been cut up a little bit in the House, but I do say to you that everywhere I go in any organization which I join I take an oath. I have taken an oath here four times in sixteen years. It does not worry me about taking an oath. I am going to vote for this bill, and I am proud to get the chance to vote for it.

Mr. NEFF. Mr. President, I realize that the hour grows late, the debate has been long and as I came here to the microphone to address the Senate, Senator Barr reminded me that further debate would delay the party that is scheduled. Even that being as it may, I feel that I must at this time say something in regard to this measure.

Mr. President, I think there are a great many people in Pennsylvania, in the General Assembly of the Commonwealth, who have not been able to define correctly the differential between McCarthyism and patriotism in the matter of this loyalty oath. I voted against the measure originally. I am going to vote against it today.

Mr. President, I attended the meeting, or the public hearing, that was held as the bill left the Senate and went to the House, and heard Chancellor Fitzgerald, of the University of Pittsburgh, President Eisenhower, of Penn State, President Stassen, of the University of Pennsylvania and the President of Temple University, testify at that hearing. I was very much impressed. Although they and I may disagree on many matters of a political nature, certainly I saw eye to eye with the eminent



gentlemen as they spoke against this bill. They pointed out what had happened at the University of California, the first great university to invoke such a ban, how they had lost many of their most prominent and distinguished professors because they refused to bow to a ban such as this on the academic freedom of the university, and pointed out that in all the investigations which have been held throughout the Country and in Washington on a matter of loyalty of employees in the Federal service, not one of those men who had been indicted or investigated came from a Pennsylvania university.

Mr. President, I have been a little bit surprised to find that they today, if not condoning this bill, at least in a left-handed manner are going along with it simply because their schools, the University of Pittsburgh, Temple, Penn State and the University of Pennsylvania, have been accorded special treatment. So, I find that I am afraid I must believe that it was not the principle that they fought, the principle that I fight, but a matter of expediency in the operation of the universities and the colleges which they represent.

Mr. President, you know there is a gimmick in this measure, a matter of "reasonable doubt." Well, what may be a matter of reasonable doubt to me or to any Member of this Senate, as to whether a man or woman is a communist, would be no reasonable doubt to McCarthy or his likes throughout this Country, a matter of opinion, and I think that America has had just about enough of McCarthyism. The Federal Bureau of Investigation has concluded that there are less than 80,000 communists in America in a nation of 150,000,000 people, and so because of suspicion of a fraction of the citizens of this Nation and this Commonwealth, this Commonwealth in particular, we are going to single out two groups of employees and deprive those individuals of their heritage as Americans. We are going to point the finger of suspicion at them, we are going to say, "Well, you must sign a loyalty oath." I think it is un-American, it is an infringement upon the civil liberties of these groups; I think it is the kind of a matter that has been fought against in this Country since the very founding of it.

Mr. President, I have heard it said that only communists are opposed to this measure. I have heard it said that the P.S.E.A. does not now oppose it, but I have not heard it said that they are in favor of this measure. I understand that one of the great veterans organizations of this State does not favor the measure as they originally did, but have pulled out of the fight for it. I have been called a communist, but it matters not what they call me. It is what I know I am. I have heard talk of Americans. Well, I, too, am an American, and the roots of Americanism in my family go back many many years beyond the days of the founding fathers of the Republic, but I will fight against this type of legislation here in the Commonwealth, in the Senate of Pennsylvania, on the picket line or wherever it rears its ugly head. This is the type of a measure which will set American against American. It is unfair, and so a person, upon a reasonable doubt, has the right of appeal. They can appeal and they can be cleared, but a family is ruined. A reputation is shattered forever, once accused unfairly under a measure such as this.

Mr. President, let us take a look at a recent case in Pennsylvania, the case of an assistant district attorney in

the county of Allegheny, an individual, Miss Matson, who was accused, because of a reasonable doubt in someone's mind, of being a communist or a communistic sympathizer. So, finally after six months' loss of work, loss of prestige, reputation and professional standing, she is cleared to everyone's satisfaction and in a legal sense, but to no one's satisfaction in a professional sense. Six months' wages lost, ruined for life in a profession, simply because someone had a reasonable doubt. That is the kind of a damnable piece of legislation which is before this body today, and the majority of the Members of this Senate will sit here and vote for it. They will vote for it not because they believe in it, but because it is politically expedient to do so, because like any dead fish you can float down stream, but it takes a live one to swim up stream, and so they are going to vote for it, and in the House only seventeen Members voted against it because they did not believe in it: Did the majority vote "aye"? No, because they were afraid of the political implications, they were afraid that the red brush of McCarthyism would touch them and ruin them politically. This is the kind of test that tests men's souls, and I for one am going to vote against it, and ask that my colleagues do also, because it is un-American to the nth degree.

Mr. ROSENFELD. Mr. President, I promise the Senate that I am not going to speak at length. I just want to make one or two observations.

Mr. President, I know this is the kind of a matter which makes difficult a decent discussion, and I think that is the core of the whole problem. We are fifty men here, and no one can at any time get us to think alike about any particular subject. We have varied backgrounds, we have had varying experiences and as a result we have varying attitudes toward this particular problem. Now, I am not saying that anybody's attitude with regard to this question is not a sincere one. I think it is, but I think it is the type of a problem which lend itself to the intelligence and the background of everyone who must discuss it, must think about it and who has the obligation to vote on it one way or another.

Mr. President, I can sit here and spend hours arguing about what is a subversive, and I might suggest that even the Supreme Court has been having trouble with a good legal definition of that word. I could spend hours discussing what the bill may do, but I do know that everyone here has already made up his mind as to how he is going to vote on this measure.

Mr. President, I merely want to point out to the good Doctor, that we do not consider this a political measure, and the mere fact that Mr. Leader offered a couple of amendments months and months ago was no indication that he wanted to kill this bill. If it was intended that amendments should be offered in order to kill it, enough amendments would have been offered to try to kill it, but we realize that everyone is entitled to express his opinion on this particular problem and we realize, too, that everybody has a different attitude toward it. I merely want to say that I was glad to note that the good Doctor did not want this to go to conference. I have not had a chance to read the whole bill, but I do know that only up to page 15 it has three glaring mistakes, one of which will definitely legally kill the bill, but since I am opposed to it, I will just keep quiet about what those mistakes are.



Mr. President, I intend to vote "no."  
And the question recurring,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—35

Bane,	Freed,	Meade,	Wade,
Barr,	Haluska,	Pechan,	Wagner,
Berger,	Kessler,	Peelor,	Walker,
Blass,	Lane,	Probert,	Watkins,
Chapman,	Letzler,	Robinson,	Wolfe,
Crowe,	Mahany,	Ruth,	Wood,
Dent,	Mallery,	Snowden,	Yosko,
Diehm,	McCreesh,	Stevenson,	Hare,
Fleming,	McMenamin,	Taylor,	Presiding Officer

## NAYS—9

Byrne,	Leader,	Neff,	Silvert,
DiSilvestro,	McGinnis,	Rosenfeld,	Stiefel,
Holland,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I would like to say something to Senator McCreesh. I have waited until after the roll call on the bill. Senator McCreesh mentioned in his speech that he came from a foreign country, and I just wanted to say to the gentleman that Ireland is not a foreign country, it is the Mother of America.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

## BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 61, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania, at Doylestown, Pennsylvania.

Senate Bill No. 258, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Senate Bill No. 283, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

Senate Bill No. 284, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades, for maintenance.

Senate Bill No. 286, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Com-

monwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Senate Bill No. 405, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital, to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital; and making an appropriation therefor.

Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans, soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Senate Bill No. 551, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designated the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and changing procedure on appeals of court.

Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption; prescribing penalties; and authorizing the courts of common pleas to enjoin violations.

Whereupon,

The PRESIDENT pro tempore (Mr. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

## HOUSE BILL No. 1494 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 1494.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1494

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic:

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 9 o'clock p. m., Eastern Standard Time.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 41, as follows:

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any school employee of any school district who shall have been regularly employed by one or more school districts or vocational school districts within this Commonwealth for any period prior to the time when such employee volunteered or was called up for service in the armed forces of the United States of America in time of war or during a state of national emergency so proclaimed by the President of the United States or by action of Congress prior to the first day of September one thousand nine hundred fifty-one and who upon discharge from military service was employed by any school district or vocational school district within this Common-

wealth other than the district by which employed immediately prior to entrance into the armed forces of the United States shall be entitled to have full credit for each year or fraction thereof he spent in the armed forces of the United States upon his payment to the School Employees' Retirement Fund his total accumulated deductions in the amount they would have been had such employee remained in the service of a school district during the period he served in the armed forces of the United States together with an additional amount equivalent to the amount of employer contributions otherwise required for a period equal to the period of such military service Such back payments may, either be paid in a lump sum or by such monthly payroll deductions as may be approved by the School Employees' Retirement Board

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 41

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 41.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## YEAS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 647, as follows:

An Act to further amend Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and ad-



ministrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the salaries of the members of the Pennsylvania Securities Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 776) is hereby further amended to read as follows

Section 429 Pennsylvania Securities Commission The Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking ex officio

Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members A vacancy on the commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the commission

The Governor shall designate one of the members of the commission as the chairman thereof and the Secretary of Banking with the approval of the Governor shall appoint a secretary who shall receive such salary as the Secretary of Banking with the approval of the Governor shall determine

The chairman of the commission shall receive a salary at the rate of [eight thousand five hundred] ten thousand five hundred dollars per annum The other members of the commission except the Secretary of Banking shall receive salaries at the rate of [eight thousand] ten thousand dollars per annum

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 647

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 647.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?  
The yeas and nays were taken agreeably to the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Cnapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silver,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 742, as follows:

An Act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein and for the transfer during disasters and emergencies of such auxiliary police members of the regular police forces and police equipment thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words when used in this act shall have the following meanings

(1) "Municipality" means city borough town and township

(2) "Chief of police" means the chief or head of the police force of any municipality

Section 2 (a) The chief of police of any municipality may nominate persons as auxiliary policemen who have satisfactorily completed such training as he may prescribe

(b) All such persons so nominated shall before they enter upon their duties be confirmed and sworn by the mayor of the city the burgess of the borough or town or the chairman of commissioners or supervisors of the townships

(c) Auxiliary policemen shall serve at the pleasure of the chief of police of the municipality nominating them

Section 3 No person shall be nominated affirmed or sworn as an auxiliary policeman under this act who is not a citizen of the United States or who advocates or has advocated a change by force or violence in the constitutional form of government of the United States or in this State or the overthrow of any government in the United States by force or violence or who has been convicted of or is under indictment or information charging any subversive act against the United States or felony Each person who is appointed to serve as an auxiliary policeman shall before entering upon his duties take an oath in writing before a person authorized to administer oaths in this State which oath shall be substantially as follows

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies foreign and domestic that I will bear true faith and allegiance to the same that I take this obligation freely without any mental reservation or pur-



pose of evasion and that I will well and faithfully discharge the duties upon which I am about to enter And I do further swear (or affirm) that I do not advocate nor am I a member of an affiliate of any organization group or combination of persons that advocates the overthrow of the Government of the United States or of this State by force or violence and that during such time as I am a member of the auxiliary police I will not advocate nor become a member nor an affiliate of any organization group or combination of persons that advocates the overthrow of the Government of the United States or of this State by force or violence"

Section 4 The mayor of any city the burgess of any borough or town and the chairman of commissioners or supervisors of any township may call the auxiliary police to active duty during any period of distress disaster or emergency except in cases of labor disturbances

Section 5 (a) Auxiliary policemen on active duty shall have the same powers as regular police officers of the municipality in which they are serving and shall perform such other duties as may be assigned to them by the chief of police

(b) Auxiliary policemen when on active duty in a municipality other than the one in which appointed shall have the same powers in such municipality as regular police officers thereof

(c) The powers herein conferred may be exercised by auxiliary policemen only after they report for active duty and until they are relieved from duty

Section 6 Upon the occurrence of any disaster or emergency other than a labor disturbance in any municipality the chief executive officer thereof may request the Governor for the emergency assignment of police equipment auxiliary police and members of the regular police forces from other municipalities for the period of such emergency If the Governor approves such request he shall direct the Commissioner of the Pennsylvania State Police to order the chief executive officer of as many municipalities as may be necessary to transfer and such officials shall transfer police equipment auxiliary police and members of the regular police force to the requesting municipality in sufficient numbers and amounts to aid in meeting the disaster or emergency During such period the transferred police and equipment shall be under the jurisdiction of the chief of police of the municipality to which they are transferred Such transferred police shall have the same powers as regular police officers of the municipality to which they are transferred

Section 7 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 742

Mr. WALKER. Mr. President, I move that the Senate do concur in amendments made by the House to Senate Bill No. 742.

Mr. PEELOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz::

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,

Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I just want to call to the attention of the Members of the Senate that in passing and approving the concurrence in House amendments that we, of the Senate, voted unanimously for another loyalty oath bill. I want to bring to the attention of the Members of the Senate of Pennsylvania the power of propaganda.

It so happens, Mr. President, that in this bill the oath is more severe than the oath which is contained in Senate Bill No. 27. It pertains to members of the auxiliary police, who are part of our civilian defense setup, and I want to call to the attention of the public press that I do not believe there was a Member of either side of this House who voted against this legislation, which in reality means just this. It means that members of the civilian defense setup and the auxiliary police must take an oath of office far more severe than that contained in Senate Bill No. 27, which pertains to public employees.

#### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 769, as follows:

An Act requiring all new buildings or additions to existing buildings which are to be seven stories or more in height to be equipped during the course of construction with a hoist or hoisting device or equipment with the required safety devices for the use of building construction workmen imposing certain duties upon the Department of Labor and Industry and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Hoisting Requirements Hoist or hoisting device or equipment required for new buildings or additions to existing buildings started after the effective date of this act shall be unlawful for any person to construct or make an addition to a building which shall upon completion be seven stories or more in height unless during the course of construction of the building such person shall erect for the use of the building construction workers employed in connection with the construction of such building or an addition a temporary or permanent hoist or hoisting device or equipment with the required safety devices for the transportation of workmen employed on or above the seventh floor and materials in accordance with the regulations of the Department of Labor and Industry for temporary or permanent hoisting devices or equipment



Section 2 Definition Person shall mean any natural person corporation partnership or association

Section 3 Enforcement It shall be the duty of the Department of Labor and Industry to enforce the provisions of this act

Section 4 Procedure in Prosecutions Prosecutions for violations of the provisions of this act or the rules and regulations of the department shall be instituted by the department and shall be in the form of summary proceedings before an alderman magistrate or justice of the peace upon conviction after a hearing the penalties hereinafter provided for shall be imposed and shall be final unless an appeal be taken to a court of proper jurisdiction in the manner prescribed by law

Section 5 Penalties Any person who shall violate any of the provisions of this act or the rules and regulations of the department as herein provided for shall for the first offense be penalized by a fine of not more than one hundred dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than ten days and for each subsequent offense shall be penalized by a fine of not more than two hundred dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than thirty days

All fines collected under this act shall be forwarded to the Department of Labor and Industry who shall transmit the same to the State Treasury through the Department of Revenue

Section 6 Effective Date The provisions of this act shall become effective ninety (90) days after the date of its final enactment and shall apply only to new construction or any additions begun thereafter

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 769

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 769.

Mr. DIEHM. Mr. President, I second the motion.  
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49			
Bane,	Haluska,	McPherson, Jr.,	Stiefel.
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Office

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 801, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employes to make up back payments to the retirement system from the time they enter school service and securing to such employes the full benefits of the retirement system from the time they entered school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 752) is hereby further amended by adding immediately following subsection 6.1 a new subsection to read as follows

6.2 Employes who desire to receive credit for school service rendered prior to the passage of this amendment may pay in addition to the regular contribution required under clause six of this section into the fund created by the act through the Department of Revenue a sum equal to all the back payments which such employe would have made had he or she become a member of the retirement association at the time of his or her employment Payment of such back payments shall entitle such contributor to all rights and benefits which would have accrued had the back payments been made in the regular course of employment Such back payments shall be paid by the employe before the thirtieth day of June one thousand nine hundred fifty-three

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 801

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 801.

Mr. ROBINSON. Mr. President, I second the motion.  
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

## SENATE 12

Bane.	Haluska.	McPherson, Jr.	Stiefel.
Barr.	Holland.	Meade.	Taylor.
Barrett.	Kephart.	Neff.	Toole.
Berger.	Kessler.	Pechan.	Wade.
Blass.	Lane.	Peelor.	Wagner.
Byrne.	Leader.	Propert.	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Dent.	Mallery.	Ruth.	Wolfe.
Diehm.	McCreesh.	Silvert.	Wood.
DiSilvestro.	McGinnis.	Snowden.	Yosko.
Fleming.	McMenamin.	Stevenson.	Hare.
Freed			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 929, as follows:

An Act to amend the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds "by deleting certain duties imposed upon the recorder of deeds and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 and 3 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" are hereby amended to read as follows

Section 1 Every Political subdivision of this Commonwealth authorized by law to adopt building ordinances or codes restricting regulating or otherwise affecting the construction reconstruction or improvement of real estate located within the boundaries of such political subdivision shall file a copy of any such ordinance or code or amendment thereto certified to be true and correct by the proper officer in the office for the recording of deeds of the county wherein the political subdivision is situate [which copy shall be adequately indexed to enable a person using the same to readily find the various types and kinds of regulations or requirements of such ordinance or code]

Section 3 [It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "building ordinance book" or books and to maintain an adequate index as part of the same in which the filed copy of any such building ordinance or code and amendments thereto shall be kept] The recorder of deeds shall charge the political subdivision filing the same a filing fee equal to the filing fees authorized by law for the same or similar services

Section 2 Whenever heretofore any political subdivision authorized to adopt a building ordinance or code or amendment thereto has adopted such an ordinance or code or amendment thereto but inadvertently and without deliberate evasion of the requirements of law or acting under a mistake of fact or law has failed to file the same in the office of the recorder of deeds of the proper county if such ordinance code or amendment shall be filed in

such office within a period of six months after the effective date of this amending act or if any such political subdivision has filed such ordinance code or amendment in the office of the recorder of deeds of the proper county But has failed to file the same in such office within the period prescribed by law or if the recorder of deeds has failed to properly record and index such ordinance or code or amendment thereto as required by law such ordinance code or amendment thereto is hereby validated and confirmed for all purposes or when filed in the office of the recorder of deeds as herein provided shall be a valid ordinance for all purposes without re-adoption or republication of notice thereof by the political subdivision

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 929

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 929.

Mr. WATKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane.	Haluska.	McPherson, Jr.	Stiefel.
Barr.	Holland.	Meade.	Taylor.
Barrett.	Kephart.	Neff.	Toole.
Berger.	Kessler.	Pechan.	Wade.
Blass.	Lane.	Peelor.	Wagner.
Byrne.	Leader.	Propert.	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Dent.	Mallery.	Ruth.	Wolfe.
Diehm.	McCreesh.	Silvert.	Wood.
DiSilvestro.	McGinnis.	Snowden.	Yosko.
Fleming.	McMenamin.	Stevenson.	Hare.
Freed.			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 930, as follows:

An Act to amend the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zone of the political subdivision effected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" by deleting certain duties imposed upon the recorder of deeds and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 Section 3 of the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinance together with maps or plans indicating the area or zones of the political subdivision effected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time imposing duties and conferring powers on recorders of deeds" is hereby amended to read as follows

Section 3 [It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "Zoning Ordinance and Map" book or books and to maintain an adequate index as part of the same in which the filed copy of any such zoning ordinance and amendments thereto together with the map or plan of the political subdivision or part thereof shall be kept] the recorder of deeds shall charge the political subdivision filing the same a filing fee equal to the filing fees authorized by the law for the same or similar services

Section 2 Whenever heretofore any political subdivision authorized to adopt a zoning ordinance or amendment thereto has adopted such an ordinance or amendment thereto but inadvertently and without deliberate evasion of the requirements of law or acting under a mistake of fact or law has failed to file the same together with maps or plans of the political subdivision or parts thereof and statements concerning type and kind of restrictions or regulations for each zone or area in the office of the recorder of deeds of the proper county if such ordinance maps or plans shall be filed in such office within six months after the effective date of this amending act or if any such political subdivision has filed such ordinance and maps or plans in the office of the recorder of deeds in the proper county but has failed to file the same in such office within the time prescribed by law or whenever heretofore any recorder of deeds has failed to properly record and index any such material as required by law such ordinance or amendments thereto is hereby validated and confirmed for all purposes or when filed in the office of the recorder of deeds as herein provided shall be a valid ordinance for all purposes without re-adoption or republication of notice thereof by the political subdivision

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 930

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 930.

Mr. WAGNER. Mr. President, I second the motion.  
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

- |              |           |                 |          |
|--------------|-----------|-----------------|----------|
| Bane,        | Haluska,  | McPherson, Jr., | Stiefel, |
| Barr,        | Holland,  | Meade,          | Taylor,  |
| Barrett,     | Kephart,  | Neff,           | Tcole,   |
| Berger,      | Kessler,  | Pechan,         | Wade,    |
| Blass,       | Lane,     | Peelor,         | Wagner,  |
| Byrne,       | Leader,   | Propert,        | Walker,  |
| Chapman,     | Letzler,  | Robinson,       | Watkins, |
| Crowe,       | Mahany,   | Rosenfeld,      | Watson,  |
| Dent,        | Mallery,  | Ruth,           | Wolfe,   |
| Diehm,       | McCreesh, | Silvert,        | Wood,    |
| DiSilvestro, | McGinnis, | Snowden,        | Yosko.   |

Fleming, Freed	McMenamin,	Stevenson,	Hare, Presiding Officer
-------------------	------------	------------	----------------------------

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 587, on third reading, entitled:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceeding pertaining thereto and reestablishing the same as separate school districts

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 609, as follows:

An Act to further amend Section 10 and 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rent or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lienied the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payments of such claims the effect of judicial sales of the properties lienied the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipals claims filed under other and proper acts of Assembly" as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 470) is hereby further amended to read as follows

- Section 10 Said claim shall set forth
- 1 The name of the municipality by which filed
  - 2 The name of the owner of the property against which it is filed



3 A description of the property against which it is filed  
4 The authority under or by virtue of which the tax was levied or the work was done

5 The time for which the tax was levied or the date on which the work was completed in front of the particular property against which the claim is filed or the date of completion of the improvement where the assessment is made after completion or the date of confirmation by the court where confirmation is required done

6 If filed to the use of a contractor the date of and parties to the contract for doing said work and

7 In other than tax claims the kind and character of the work done for which the claim is filed and if the work be such as to require previous notice to the owner to do it when and how such notice was given

Said claim shall be signed by or have stamped thereon a facsimile signature of the solicitor or chief executive officer of the claimant or the chief of its delinquent tax bureau except that in counties of the second class said claim or claims for county taxes levies or assessments shall be signed by or have stamped thereon a facsimile signature of the county controller and in the case of a use-plaintiff must be accompanied by an affidavit that the facts therein set forth are true to the best of his knowledge information and belief

Section 2 Section 15 of said act as last amended by the act approved the tenth day of May one thousand nine hundred fifty-one (P. L. 288) is hereby further amended to read as follows

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain in a lien upon said property until fully paid and satisfied Provided That either a suggestion of nonpayment and an averment of default in the form hereinafter provided be filed either before or after judgment on the scire facias or else a writ of scire facias in the form herein provided be issued to revise the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of nonpayment and default was filed thereon or (e) the date on which a judgment or revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now ..... the claimant by ..... [his] its solicitor or by the chief of its delinquent tax bureau or in counties of the second class by the county controller suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for nonpayment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment shall be signed by or have stamped thereon a facsimile signature of the solicitor or chief executive office of the claimant or the chief of its delinquent tax bureau except in counties of the second class in which case it shall be signed or have stamped thereon a facsimile signature of the county controller The prothonotary shall docket and index the suggestion and averments directed therein and for such service in all counties of the fifth class and the political subdivision in such counties shall be entitled to a fee of one dollar and in all other classes of counties and the political subdivisions thereof he shall receive the following fee to be taxed and collected as other costs in the claim

Where suggestion and averment is  
for taxes on municipal claims  
for one year and is directed to  
be indexed in one name only ..... one dollar (\$1)  
Each additional year included ..... one dollar (\$1)  
Each additional name included ..... twenty-five cents (\$.25)

The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment of default shall have the same force and effect for the purposes of continuing and preserving the lien of the claim as through a writ of scire facias has been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levavi facias shall be issued upon a claim for the purpose of exposing property lien to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levavi facias Whenever the lien of a claim has been revived and continued by filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be one prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane.	Haluska,	McPherson, Jr.,	Stiefel.
Barr.	Holland.	Meade,	Taylor.
Barrett,	Kephart.	Neff,	Toole.
Berger.	Kessler,	Pechan,	Wade.
Blass.	Lane.	Peelot,	Wagner.
Byrne.	Leader.	Probert,	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Dent.	Mallery.	Ruth.	Wolfe.
Diehm.	McCreesh.	Silvert.	Wood.
DiSilvestro.	McGinnis.	Snowden.	Yosko.
Fleming.	McMenamin.	Stevenson.	Hare.
Freed.			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1113, as follows:

An Act to further amend Section 17 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on



retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 17 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as temporarily amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1880) is hereby further amended to read as follows

Section 17 Refunds The Board of Finance and Revenue may refund to distributors taxes penalties and interest paid by them on liquid fuels delivered to the United States government or paid as the result of an error of law or of fact or of both law and fact Claims for such refunds shall be made under the procedure prescribed by The Fiscal Code.

Any person who shall use or buy liquid fuels on which the tax imposed by this act shall have been paid and shall consume the same in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products shall be reimbursed one-half the amount of such tax

All such claims for reimbursement shall be made upon a form to be furnished by the Board of Finance and Revenue and shall include in addition to such other information as the board may by regulation prescribe the name and address of the claimant the period of time and the number of gallons of liquid fuels used for which reimbursement is claimed a description of the farm machinery in which such liquid fuels have been used and the purpose for which such machinery has been used the size of the farm and part thereof in cultivation on which such liquid fuels have been used Each such claim shall contain statements that the liquid fuels for which reimbursement is claimed have been used only for purposes for which reimbursements are permitted that records of the amounts of such fuels used in each piece of farm machinery have been kept and that no part of such claim has been paid except as stated Each such claim shall contain a declaration that it and accompanying receipts are true and correct to the best of claimant's knowledge and shall be signed by the claimant or the person claiming on his behalf Every claim shall be accompanied by receipts indicating that the liquid fuels tax was paid on the liquid fuels for which reimbursement is claimed All records of purchases of liquid fuels and use in each tractor or powered machinery shall be kept for a period of two years Every such claim shall be made [quarterly for a period represented by the preceding three months] annually for the preceding year ending on the thirtieth day of June and shall be submitted to the Board of Finance and Revenue not later than the [fifteenth day of April July October and January following the end of each three-months

period] thirtieth day of September of each year and the board shall refuse to consider any claim received or post-marked later than such date The claimant shall satisfy the board that he has paid the tax and that the liquid fuels have been consumed by him in the operation of a tractor or piece of powered machinery for purposes relating to the actual production of farm products The board may require any claimant to furnish such further information proof or fuller explanation as it shall deem necessary The action of the Board of Finance and Revenue in granting or refusing reimbursement shall be final The board shall deduct the sum of one dollar and fifty cents (\$1.50) which shall be considered as a filing fee from every claim for reimbursement granted Such filing fees are hereby specifically appropriated to the Board of Finance and Revenue and to the Department of Revenue for expenses of any nature whatsoever incurred in the administration of the reimbursement provisions of this act The Board of Finance and Revenue shall have the power to refuse to the Department of Revenue for investigation any claim for reimbursement filed under the provisions of this act and it shall be the duty of the Department of Revenue to investigate such application and report to the Board of Finance and Revenue relative thereto Any person making any false or fraudulent statement for the purpose of obtaining reimbursement shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to undergo imprisonment for not more than six (6) months or both

All refunds and reimbursements of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in amounts equal to the original distribution and payment of such moneys into said funds Provided however that reimbursement for taxes paid on liquid fuels consumed in the operation of tractors and powered machinery for purposes relating to the actual production of farm products shall be paid out of the Motor License Fund

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds and reimbursements as herein authorized Estimates of the amounts to be expended from these funds for refunds and reimbursements from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply only to liquid fuels purchased on and after the first day of July one thousand nine hundred and fifty-one and before the first day of July one thousand nine hundred and fifty-three

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,



Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Ruth,  
Silvert,  
Snowden,  
Stevenson,

Wolfe,  
Wood,  
Yosko,  
Hare,  
Presiding Officer

# NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1638, on third reading, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1658, as follows:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified veterans

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section eighteen article eight is hereby amended to read as follows:

Section 18 The General Assembly may by general law provide a manner in which and the time and place at which qualified war veteran voters may vote who are unable to attend at their proper polling places because of

being bed-ridden or otherwise physically incapacitated and may provide for the return and canvass of their votes in the election district in which they respectively reside Positive proof of being bed-ridden or otherwise physically incapacitated shall be given by affidavit or by certification of a physician hospital or other authenticated source

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

# YEAS—49

Bane,  
Barr,  
Barrett,  
Berger,  
Blas,  
Byrne,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed

Haluaka,  
Holland,  
Kephart,  
Kessler,  
Lane,  
Leader,  
Letzler,  
Mahany,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin

McPherson, Jr.,  
Meade,  
Neff,  
Pechan,  
Peelor,  
Propert,  
Robinson,  
Rosenfeld,  
Ruth,  
Silvert,  
Snowden,  
Stevenson,

Stiefel,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,  
Hare,  
Presiding Officer

# NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1704, as follows:

An Act to further amend sections 4 and 8 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 4 and 8 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes



heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 580) are hereby further amended to read as follows

Section 4 The lien for taxes shall exist in favor of and the claim therefor may be filed against the property taxed by any municipality to which the tax is payable

The lien for the removal of nuisances shall exist in favor of and the claim therefor may be filed against the property from which it is removed or by which it is caused by any municipality by or for which the nuisance is removed

The lien for grading guttering paving macadamizing or otherwise improving the cartways of any highways for grading curbing recurring paving repaving constructing or repairing the footways thereof or for laying water pipes gas pipes culverts sewers branch sewers or sewer connection in any highway for assessments for benefits in the opening widening or vacation thereof or in the changing of water-courses or construction of sewers through private lands or in highways of townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same or for water rates lighting rates or sewer rates or rates for any other service furnished by a municipality shall exist in favor of and the claim therefor may be filed against the property thereby benefited by the municipality extending the benefit or the city borough or township in which the property is located if the work material or service forming the basis of such lien was supplied by a municipal authority organized by a county of the second class or city of the third class and such liens or the claims therefor has been assigned to it

Municipal authorities organized by counties of the second class or cities of the third class are hereby authorized to assign their municipal claims and their liens to the city borough or township in which the property subject thereto is located and cities boroughs and townships in which such property is located are hereby authorized to purchase the same Upon such assignment or purchase the city borough or township acquiring such municipal claim or lien shall have the same rights thereunder as if it had supplied the work material or service upon which such municipal claim or lien is based

When the contractor performing the work is to be paid by assessment bills the lien shall exist for and the claim shall be filed to his use and he shall under no circumstances have recourse to the municipality authorizing the work

Section 8 Where claims are to be filed to use the claimant at least one month before the claim is filed shall serve a written notice of his intention to file it unless the amount due is paid Service of such notice may be made personally on the owner wherever found but if he cannot be served in the county where the property is situated such notice may be served on his agent or the party in possession of the property and if there be no agent or party in possession it may be posted on the most public part of the property

The provisions of this section shall not apply if the use-plaintiff is a city borough or township to which a municipal claim of a municipal authority organized by a county of the second class or city of the third class has been assigned or sold as provided in section four of this act and the procedure for filing reviving and enforcing liens for such assigned claim shall be the same as is provided in this act for filing reviving and enforcing liens based on such use-plaintiff's own municipal claims

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Haluska,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Bale,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1710, on third reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by increasing the salary of members of the General Assembly and providing a salary and payment of expenses in the event of annual sessions

go over in its order.

The PRESIDING OFFICER. Is there objection The Chair hears none.

### SECOND READING CALENDAR

#### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 241, entitled:

An Act to amend section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the age range of children prohibited admittance to moving picture theatres during school hours

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 708, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not heretofore served provided for regulation of such service after approval and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1308, entitled:

An Act to further amend sections two and seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further defining the term "municipality" to include joint-county departments of health by defining the term "joint-county health commission" and by providing that joint-county departments of health may join the retirement system

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1381, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Private Trade Schools and prescribing penalties" by further defining "agent" prohibiting agents from representing more than one school clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1550, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1625, entitled:

An Act to add sections 14.1 and 14.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement and making such changes retroactive in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1662, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1716, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1718, entitled:

An Act to amend Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended by modifying the rates of commission which may be retained by registers of wills of their own use for collection of inheritance taxes as agents of the Commonwealth

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY. Mr. President, for the information of the Senate, the amendments which I would like to offer to House Bill No. 1718 would make the commissions payable to the register of wills apply to the present or correspond exactly with the present commissions paid to them. In other words, the amendments would not permit an increase in the salaries or the commissions payable to registers of wills unless they would collect larger amounts than they presently collect.

Mr. LANE. Mr. President, in regard to this piece of legislation, we had an agreement that the Chairman of the Committee would contact the Secretary of Revenue, and if the figures submitted by the spokesmen for the register of wills were correct and complied with the statements made, the chairman of the Committee would report the bill out. Now, I have not talked to Senator Stevenson since we had the meeting. I noticed the bill on the Calendar, and I thought that Senator Stevenson was satisfied as to the truthfulness of the figures and statements made by the spokesmen for the registers of wills.

Mr. President, I would like someone to answer that question for me. At this time I would like to interrogate the gentleman from Blair, Senator Mallory.

The PRESIDING OFFICER. Will the gentleman from Blair, Mr. Mallory, permit himself to be interrogated?

Mr. MALLERY. Yes, I will, Mr. President.

Mr. LANE. Senator Mallory, you will recall that when we had the committee meeting we empowered Senator Stevenson to contact the Secretary of Revenue in regard to the figures submitted by the spokesman for the registers of wills, and it was our understanding that the bill would be reported out if the Secretary of Revenue certified to the Chairman of the Committee that the figures were in order. Now, can you explain to

me the details of the meeting which you might have had with the Secretary of Revenue?

Mr. MALLERY. Mr. President, in reply to Senator Lane, I wish to state that the Chairman of the Committee attempted to contact the Secretary of Revenue and was not able to get in touch with him. I called him today, and the Secretary of Revenue told me definitely that the bill, as reported out of committee, would give the registers of wills more money, it would give them an increase.

By the way, Mr. President, I want to state that of all the members in the court house at home, they are all very good friends of mine, but if I have any particular friend it is the register of wills, and I think everyone at home realizes that the registers of wills, considering the salary increase which they have received at this Session of the Legislature, together with the fees which they receive for collecting inheritance taxes, are the highest paid officers in the court house, exceeding by a great deal of money more than the commissioners whom I believe have more responsibility than any other member of the court house.

Mr. LANE. Mr. President, may I further interrogate Senator Mallory?

The PRESIDING OFFICER. Will the gentleman from Blair, Mr. Mallory, permit himself to be further interrogated?

Mr. MALLERY. I have no objection, Mr. President.

Mr. LANE. Senator Mallory, in the event these amendments are adopted, would you agree to carry the bill over as amended?

Mr. MALLERY. Gladly, Mr. President.

Mr. WALKER. Mr. President, I want to say to the gentleman from Blair and to the gentleman from Washington with respect to carrying the bill over, we are adjourning sine die not later than Saturday. Now, I do not want to jeopardize any agreement that you gentlemen have made. I do not want to be the villain in the play. Any carrying over that is done is done subject to the sine die adjournment.

Mr. LANE. Mr. President, that will be all right because we can pass it on Third Reading tomorrow, but what I want to do is look at the bill as amended.

Mr. MALLERY. Mr. President, I wish to assure my colleague, Senator Lane, and all other Members of the Senate, that the amendments will provide the same rate of fees as they have received and are receiving today. They do not stand to lose a penny.

Mr. MALLERY offered the following amendments:

Amend Sec. 1 page 2, line 2, by inserting after the figures "521)" the following "entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax

on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal." Amend Sec. 1, page 2, line 3, by striking out the word "last"; Amend Sec. 1 page 2, line 3, by striking out the word "Act" and inserting in lieu thereof "act"; Amend Sec. 1, (Sec. 21), page 3, line 2 to 20 both inclusive by striking out "(five) eight per centum upon" in line 2 and all of lines 3 to 20 both inclusive, and inserting in lieu thereof the following "five per centum upon the tax collected, if such tax shall amount to a sum of fifty thousand (\$50,000) dollars or less; three per centum on the amounts collected in excess of fifty thousand (\$50,000) dollars and not exceeding one hundred thousand (\$100,000) dollars; one per centum on the amounts collected in excess of one hundred thousand (\$100,000) dollars and not over two hundred thousand (\$200,000) dollars; and one-half of one per centum on the amounts collected in excess of two hundred thousand (\$200,000) dollars and not over one million (\$1,000,000) dollars; and one-quarter of one per centum on the amounts collected in excess of one million (\$1,000,000) dollars: Provided, That the total amount to be so retained by such registers of wills for their own use shall not exceed the total sum of ten thousand dollars (\$10,000) during any year: Provided, further, That if any tax rate shall be increased over the rate in effect during the year 1950, the foregoing percentages shall be computed as though such increase had not occurred."

On the question,

Will the Senate agree to the amendments?

Mr. NEFF. Mr. President, I ask for a roll call.

Mr. ROSENFELD. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. NEFF and Mr. ROSENFELD, and were as follows, viz:

#### YEAS—31

Barr.	Kessler,	Pechan,	Wagner,
Berger,	Lane.	Peelor,	Walker
Blass,	Letzler,	Propert,	Watkins
Chapman,	Mahany,	Robinson,	Watson.
Diehn,	Mallery,	Snowden,	Wolfe,
Fleming,	McGinnis,	Stevenson,	Wood,
Freed.	McMenamin,	Taylor.	Hare,
Haluska,	Meade,	Wade,	Presiding Officer

#### NAYS—11

Byrne,	Leader,	Rosenfeld,	Stiefel.
DiSilvestro,	McCreesh,	Ruth,	Yosko.
Holland,	Neff,	Silvert,	

So the question was determined in the affirmative.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MALLERY offered the following amendments:

Amend Title, page 1, line 1, by inserting after the word "To" the following "further"; Amend Title, page 1, last line, by inserting after the word "death" the following "defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists;" Amend Title, page 2, lines 5 and 6 from top, by striking out "as amended by modifying the" and inserting in lieu thereof "by fixing a further limitation on".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 587 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 587 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

#### AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 587, as follows:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceedings pertaining thereto and reestablishing the same as separate school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Reestablishment authorized within ten years after the annexation of a township of the first class to a city a petition may be presented to the court of quarter sessions of the county wherein the whole or the greater portion of the territory of the former township is located for the establishment of the annexed territory as a township of the first class

Section 2 Petitions Petitions for the reestablishment of townships as provided in the preceding section shall be signed by registered electors equal in number to at least five per centum of the highest total vote cast within the former township of the first class boundaries for candidates for any office in the city affected at the last preceding municipal election. Where candidates for any city office have as yet not been elected by the residents of such former township then a petition for the reestablishment of any such township may be signed by fifty of the registered electors of such former township Such petition shall be sworn to and subscribed by at least three of the signers.

Such petitions shall set forth the name of the proposed township to be reestablished and shall specify the reasons for such reestablishment One such petition in each such proceeding shall be accompanied by an accurate map or plot prepared by an engineer showing the lines of the township to be reestablished Where natural marks are on such lines they shall be shown

Section 3 Confirmation Nisi of Petition Notice of Filing Upon the presentation of any such petition the same shall be confirmed nisi and the court shall by its order require that notice thereof be given by the petitioners to the residents of such former township and the city by advertisement once a week for three weeks in two newspapers in or circulated throughout the territory where such residents reside

Section 4 Exceptions Confirmation Absolute of Petition Within thirty days after the filing of such petition any taxpayer of the city affected may file exceptions to such petition questioning the sufficiency of the number of signers or the legality of any signatures or the accuracy or sufficiency of the map or plot attached thereto The court upon the filing of any exceptions shall fix a day for hearing of which such notice shall be given as the court may direct At such hearing the court shall hear all parties interested and their witnesses If the exceptions in the opinion of the court are sustained and the court deems the petition not amendable it shall dismiss the



petition otherwise it shall confirm the same absolutely after any amendments permitted by the court have been made

**Section 5 Elections** When any petition is confirmed absolutely the court shall order an election to be held on the question of the reestablishment of such township which shall be held on the day of the next general or municipal election occurring at least ninety days after such order of court Such election shall be held at the regular polling places only within that part of the city which was formerly the township of the first class which was annexed to the city affected At any such election all of the registered electors of that part of the city which was the township of the first class prior to its annexation to said city affected shall have the right to vote The ballots or ballot labels at such election shall be furnished by the county commissioners and the question to be placed thereon shall be framed and printed on the ballots or on the ballot labels of voting machines as provided by the Pennsylvania Election Code

**Section 6 Return of Election Decree** The election officers of the consolidated territory or if they have not as yet been elected then the election officers of the former township after the polls have been closed shall count and certify the number of votes cast for and against such township reestablishment to the clerk of the court of quarter sessions who shall tabulate and compute the same and lay the result before the court If it shall appear that a majority of the votes cast in that part of the city which was the township of the first class prior to its annexation to said city affected are in favor of the reestablishment of the township the court shall order and decree the reestablishment of the township agreeably to the name and lines set forth in the petition and the government of the reestablished township shall be organized and become effective on the first Monday of January next succeeding such election If a majority of the votes cast in any such election are against the reestablishment of such township no further action shall be had upon said proceedings No new proceeding shall be entertained by the court for a period of two years

**Section 7 Boundary Monuments** The court may when deemed necessary cause the lines of any such reestablished township to be appropriately marked with stone monuments placed at intervals not exceeding fifteen hundred feet the cost thereof to be paid by the reestablished township

**Section 8 Classification of Reestablished Townships** Townships reestablished as herein provided shall be and remain townships of the first class unless and until by subsequent proceedings in accordance with law its classification shall be changed

**Section 9 Costs** When a township of the first class is reestablished as hereinbefore provided the costs of the proceedings shall be paid by such reestablished township and where any petition is dismissed or a majority of the electors shall vote against the reestablishment of any such township the costs of the proceedings shall be paid as the court may direct

**Section 10 Property Debt and Tax Adjustment** All property vested in such township as of the date of its annexation to the city affected shall again be vested in such township as of the date of its reestablishment as a township All bonded indebtedness of such township as of the date of its annexation shall be the debt of such township as of the date of its reestablishment as a township and the township shall not be liable for any part of the bonded indebtedness of such city existing prior to its annexation to such city All unpaid taxes assessed and levied within such township during such annexation shall continue to be due until paid to the taxing authority of such city

**Section 11 Officers for Reestablished Townships** Whenever a township of the first class shall be reestablished in accordance with the procedure in this act the court of quarter sessions shall divide such township into districts not in excess of fifteen nor less than two each of which shall contain not less than three hundred and fifty registered voters The said court shall appoint five commis-

sioners and the other elective officers to which a township of the first class is entitled and fix the polling place or places in such township The officers so appointed shall hold their offices from the first Monday of January following the election reestablishing such township until the first Monday of January following the municipal election at which officers of the township are elected as hereinafter provided

**Section 12 Election of Commissioners in Reestablished Townships** At the first municipal election following the reestablishment of a township as hereinbefore provided there shall be elected by the registered electors of each district of the township one township commissioner who shall reside in the district for which he is elected At such election the township commissioners elected in even-numbered districts shall be elected for terms of two years each and those in odd-numbered districts for terms of four years each from the first Monday of January next following such election The ballots or ballot labels at such election shall designate the term for which each commissioner is elected Their successors shall be elected for terms of four years

**Section 13 Election of Treasurer in Reestablished Townships** At such municipal election the qualified electors of such reestablished township shall elect a township treasurer for a two or four year term so that his term shall expire at the same time as the terms of treasurers of other townships of the first class as provided by law Thereafter the term of treasurer of said township shall be four years from the first Monday of January next following his election

**Section 14 Election of Township Assessor and Assistant Township Assessor in Reestablished Townships** At such municipal election one township assessor shall be elected for a term of four years and one assistant township assessor for a term of two years Thereafter the terms of such township assessor and assistant township assessor shall be four years from the first Monday of January succeeding their respective elections

This section shall not apply to townships in counties having county boards for the assessment and revision of taxes where assessors under existing laws are appointed

**Section 15 Certificate of Creation of Townships to State Departments** Whenever a township of the first class is reestablished the clerk of the court shall certify such reestablishment to the Department of Internal Affairs and Department of Highways of the Commonwealth The clerk of the court shall be allowed a fee of three dollars and fifty cents for his services to be paid as part of the costs of the proceedings

**Section 16 School Districts** Upon the reestablishment of a township of the first class the territory comprising the same shall be reestablished as a separate school district of the class to which it is entitled

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. McMENAMIN. Mr. President, the bill on which we are about to vote sets forth the proposition that after a township is annexed to a city in Pennsylvania, the township by the vote of that municipality alone may at anytime within ten years after annexation vote to secede or withdraw from that city. Now, we know that in order for the annexation to have taken place, both the city and the township must have voted for it; that is, a majority of the voters of each of the municipalities must have been in favor of annexation.

Mr. President, this bill would allow the vote of the voters in the township alone to withdraw from the city, as I say, anytime within ten years thereafter. Now, it seems to me that this is a unilateral rescission of a contract, and I do not think there is a man in the Senate who would agree that this is sound legislation, and that is one of the things I would like to explain. I am first go-



ing to offer amendments which would provide that before such a vote could be had, both the voters in the city and in the township must vote on the proposition of whether or not to break up the enlarged municipality.

Mr. President, another feature of the bill which is very bad is that a vote could be taken on petition or placed on the ballot on petition of five per cent of the total registered voters who voted for any candidate for any one office at the last primary election. This bill very definitely affects Scranton as a local situation Lackawanna County.

Mr. President, in the election of 1949, the voters of the city of Scranton and the voters of Lackawanna Township, which lies directly south of Scranton, by a majority vote in each municipality, agreed to an annexation. There are at the present time approximately 1100 registered voters in Lackawanna Township, 1000 to 1100. Under the terms of this bill, by a petition, signed by a mere five per cent or perhaps less than fifty, depending on how many voted at the last election, for each year for ten years, the political structure of the city of Scranton and the former township of Lackawanna could be undermined and kept in complete confusion. This is true not only of the police force, and the fire department and the various city agencies, but also in the consolidated school district. I do not see any sense in providing legislation which would endanger or make uncertain the conduct of the schools in the city of Scranton in so far as the benefits to the school children are concerned. How any municipality, how a city, either the city or school board, could frame a budget in each year, not knowing whether at the end of that year they were to have twenty-three or twenty-four wards in it, is something that no one could hope to figure out.

Mr. President, this is as vicious a piece of legislation as has yet come to the Senate. It is interesting to note that it arrived in the Senate on April 3 of this year, and was first reported out of committee on June 20. Since that time it has been back and forth to the committee and out on the Calendar. I think the fact that it has been so long in the Senate without any prior final action being sought on the bill is evidence, some evidence, of the basic and inherent unsoundness and unfairness of this legislation.

Now, Mr. President, as I have said before, I do not want to ask anybody in this Senate to vote on this bill without knowing all of the facts involved, and I do not want anybody to vote on this bill on the matter of party lines. I think this bill, as it is drawn, applies only to our situation in and around the city of Scranton, and I think it is a nonpartisan problem. I think it is a question of good government, and I am not asking any of my colleagues to vote for or against the bill on my wishes, and I appeal to the high-minded, independent Republican Members of the Senate on the other side of the aisle to give it the same impartial approach.

At this time, Mr. President, I offer the amendments which will provide—the amendments do but **one thing**—that in the event a vote is taken to break up the city of Scranton again into the two former municipalities, the people of the city of Scranton shall have a vote on that question. Since the township has been annexed, the city has made a considerable investment of money in the former township. A fire and police alarm system has been

installed, streets have been paved, and playgrounds have been placed therein. Certainly it is unsound for any smaller municipality to seek to attach itself to a larger one, to remain for a period of a few years, accept a good many benefits and investments, and then pull out on its own vote or the vote of the former municipality alone.

Mr. President, this bill, or these amendments, would merely provide that in the event such a petition is placed on the ballot, that the secession or breaking up of the city could not be accomplished unless a majority of the voters in each of the two municipalities vote in favor of such secession.

Mr. McMENAMIN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 5, page 4, line 14, by striking out the word "only"; Amend Sec. 5, page 4, lines 14 and 15, by striking out the words "that part of the city which was formerly the township of the first class which was annexed to"; Amend Sec. 5, page 4, lines 17 and 18, by striking out the words "part of the city which was the township of the first class prior to its annexation to said"; Amend Sec. 6, page 5, line 5, by striking out the word "township" and inserting in lieu thereof: "separate territories"; Amend Sec. 6, page 5, line 9, by inserting after the word "cast" the following: "in the entire city affected as well as a majority of the votes cast."

On the question,

Will the Senate agree to the amendments?

Mr. STIEFEL. Mr. President, when this Session is over and the captains and the kings depart, I would suggest to my colleagues that they spend Christmas in reading a very interesting book entitled, "Farmer's Hotel." That book is set in Pennsylvania, and describes the experiences of a group of ladies and men who are snowbound in Pennsylvania. Now, tonight being snowbound and in this torrential rain, I believe that the atmosphere is conducive to make a few observations, and I desire to make them.

Mr. President, if I would have to write a book about my experiences at the current Session of the General Assembly, the title of the book would read as follows: "Simmering Alembics and Exploding Pressure Cookers." For many months bills were in committee just simmering and then toward the end of this Session they are beginning to explode, and who can form a careful opinion as to what to do? Twice during the evening we are called upon to vote on important measures, and how can one peruse the bill, form an opinion and then cast an intelligent vote? I, for one, do not know what to do, and I resent this policy of saving important bills until the dying days of the Legislature. For this reason, many of our acts may not be phrased in the best language or judgment.

Mr. President, I feel that this measure is so important that it requires very careful consideration, and at the same time I want to voice my protest against considering a measure of this type at the last moment.

Mr. WALKER. Mr. President, the gentleman from Philadelphia, Doctor Stiefel, who in my opinion is one of the most learned men who ever sat in this august Body, very carefully mentioned a book that he advised us to read. In his humility, the Doctor failed to mention



one of the finest books which will be presented to the intellectual people of this great Republic, a book which will shortly be on the newsstands all over the United States, a book entitled, "Balls of Brass," and the author will be that eminent Member of this august Body, Doctor Stiefel.

Mr. President, the eminent characters in that book are people who occupy public office, who have the courage of their convictions. In the light of the high esteem in which the gentleman from Philadelphia, Doctor Stiefel, holds us, I suggest to my colleagues on this side of the aisle that with all due respect to their friendship, to the distinguished gentleman from Lackawanna, we vote the amendment down.

Mr. LANE. Mr. President, the bill which Senator McMenamin spoke on is one bill that I failed to read in detail, but he called my attention to something which I feel is very very important. You must remember if we pass this legislation it is going to apply to any city within this Commonwealth, as long as the township is a township of the first class.

Now, Mr. President, we must also remember this. We have fiscal problems in our political subdivisions the same as we have here in the Commonwealth. If we do not lick this legislation, when we realize that cities have gone to the expense of expending large sums of money in order to bring about improvements and then permit them to separate themselves from the metropolitan area, we are doing an injustice to the political subdivisions. I say to you that we should support the Senator's amendments, because I believe they will rectify this condition by permitting the populace of the city to also participate in this election.

Mr. DENT. Mr. President, I do not think it is a question of whether the bill or the amendments are up before us. The whole problem should be reviewed, and one thing which is very serious here is that we are giving character to a shotgun wedding. In every instance in a contract, two parties make the contract. We have never allowed one party to run out on a contract without allowing the other party to at least state its position.

Mr. President, this community joined another community by mutual and vocal contract, an election was held, and the people of both communities voted for annexation. Tonight we are saying in the Senate of Pennsylvania that contracts from now on are just mere pieces of paper. You are talking about Scranton tonight, you are talking about Minooka, but you might be talking about any community in Pennsylvania, any of our home towns. My home town has taken in communities, we have given them streets, we have given them sewers, we have given them things that go with large city government. Tonight we are establishing a precedent whereby five per cent of any community which has been attached to a larger community can go before the people in its own community, after it has received the benefits of the marriage, and disown the children. There is a word for it, and I will not use it on the floor of the Senate.

Members of the Senate, you just cannot do these things and hold your head up. This is a political pressure proposition, because somebody thinks that if we dissolve this marriage we can gain a political advantage, but what you are doing, you are setting something up that

goes far beyond Scranton, far beyond Minooka. You are going into a proposition whereby every community in this State which has taken into its boundary lines a first class township may be faced with an election where that first class township may remove itself from the common bond.

Now, Mr. President, you can vote "no" or you can vote "yes", because you feel that somebody on your side wants you to vote one way and somebody on our side wants you to vote the other way, but in simple justice to yourselves, this particular problem is as serious as any problem that has faced this Senate during the entire Session. You are setting a precedent, you are now establishing a new basis for operation in government. Along comes a first class township, a large sprawling community, a large city established next door to it, with all of the conveniences of a big city; its parks, its museums, its waterworks, its transportation systems, its communication systems, its great street empire. The township comes in and says, "Will you take us into your system," and you do. Then after two years you have spread your street system, you have established a new bonded indebtedness or you have used your power of expenditure in your local government and you have built for them a communication system, you have built for them a transportation system. You have given to them the best that is in your city, and then two years later they say, "Here we are, new streets, new industries come in because we have the address of a big city," industries that would never even have thought of moving into a township, people who live in the city, who did not want to leave the city government, have moved into the co-called annexed area which is now part of the city. Two years later, because some individual, we might say, in the community, in the township, maybe a tax collector has lost his job as a tax collector, so he wants his job back and he agitates, and you all know that one agitator can do more harm than a thousand singing the gospel, and the township removes itself by your vote tonight from the parent body that it joined.

Now, Mr. President, you think this is just a silly little bill, it has no repercussions, it does not mean anything in your district, you can go along and vote, but I am telling you that you are setting up a precedent which will come back into these halls time and time again, because I know some communities that are going to be embarrassed by the passage of this act. If you Members of the Senate just study your own districts, if it is right for a first class township to remove itself from the city, what is wrong with a second class township? Is the logic right, is there any difference in it? Is there anything wrong with a second class township taking itself away from the marriage which it has promulgated in friendship and in mutual agreement, and then saying to itself, "I want to get out after I have received the benefits of the marriage"?

Mr. President, I know I cannot change a vote on the Senate floor tonight, but I am going to have this say because I know that I am right. You are setting a precedent here that is going to come back and haunt every Member of this Senate. This bill is born in inequity. It has no soundness, it has no logic, it has no justification for appearing on this particular Calendar tonight. There we are, after a long and tiresome Session of this

Legislature, creating another bugaboo which will come up and tell us again in the future that we are wrong, and we were so wrong that it is unbelievable that men in this Senate Body would even consider this legislation at this point.

Mr. President, what you are doing here tonight is saying to every township in Pennsylvania, "Go ahead, you backward townships, attach yourselves to a large body politic next to you, a progressive community, attach yourselves and get all the benefits of it and then withdraw." A contract made by two persons, a contract made by two communities, a contract made by two companies or corporations, to my mind, is a contract and that contract ought not be violated by the Legislature saying that one party to the contract can withdraw without permission or without at least the right of recourse to the other party to the contract. You are saying to yourselves tonight that when you write a contract with another individual, that individual can abrogate the contract, can walk away from it and you cannot go to court. That is what you are saying to the city of Scranton tonight. You are saying, "You made a contract with Minooka by a mutual vote of both of the parties involved," but you are saying to the township, "You do not need to worry about the contract. You do not need to worry about the vote of the people in the city of Scranton. You have your own right to abrogate. You have your own right to walk away."

Mr. President, supposing that tomorrow I made a contract with any one of you whereby both of us were to put certain of our assets into an endeavor, and when the endeavor became prosperous you would decide that you would receive the most out of the bargain, and you would take the contract, jut like you are doing tonight, and tear it up; just tear the thing up, and I would not have any say about your tearing it up. Remember that as Members of this Legislature the precedent that we set up in government filters down through to every phase of life, business, civic and political. If we tonight say that a contract is not valid in government, then it is not valid in business, and I want to tell all of you here tonight that you are making the most serious mistake that you have ever made in this Senate when you say that a contract between two communities has no standing in the eyes of the law.

Mr. NEFF. Mr. President, although I realize that the words of the Minority Leader, Senator Dent, are perhaps too true and not a vote will be changed regardless of what we say on this side of the aisle, I think that certainly this bill is deserving of all the deep consideration that the Senate of Pennsylvania can give it.

Mr. President, here tonight we are debating a problem that is probably the most serious matter to come before this Body this Session, affecting one of the great cities of the Commonwealth, the city of Scranton, a community which has made a valiant struggle to rise from the depths of depression, due to a lack of industry and the departure of many of the workers the area, and in the dying days of the Session, with little consideration, bound by caucus, the majority Members of this Body are going to vote on the measure without regard to the true facts of the situation. I did not take too well the remarks of the Majority Leader, in a situation as serious as

this one to the citizens of the city of Scranton. He found a time and a place to get up and give his usual dissertation in a fashion in which he is so well versed.

Mr. President, I would say that John Walker, the Majority Leader, here tonight has sensed a place on the Olympic Team, if there is such a place, as the spot for a man who is a champion double-talker. He did it tonight, taking time to digress with levity in a situation that is of serious consequence—

The PRESIDING OFFICER. Will the gentleman yield the floor a moment? The gentleman is distinctly out of order. The question is on the motion to adopt the amendments.

And the question recurring,

Will the Senate agree to the amendments?

Mr. McMENAMIN. Mr. President, I ask for a roll call.

Mr. DENT. Mr. President, I ask for a roll call

(During the calling of the roll the following occurred:)

Mr. YOSKO. Mr. President, I ask for a verification of the roll.

Mr. BARR. Mr. President, I ask for a verification of the roll

Mr. HALUSKA. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Barr,	Haluska,	McCreesh,	Rosenfeld,
Byrne,	Holland,	McGinnis,	Ruth,
Dent,	Lane,	McMenamin,	Silvert,
DiSilvestro,	Leader,	Neff,	Stiefel,
			Yosko,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Kessler,	Propert,	Walker,
Blass,	Letzler,	Robinson,	Watkins,
Chapman,	Mahanay,	Snowden,	Watson,
Crowe,	Mallery,	Stevenson,	Wolfe,
Diehm,	Meade,	Taylor,	Wood,
Fleming,	Pechan,	Wade,	Hare,
Freed,	Peelor,	Wagner,	Presiding Officer

The PRESIDING OFFICER. Are there any objections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: yeas 17, nays 27, and the amendments fall.

The yeas and nays were required by Mr. McMENAMIN and Mr. DENT and were as follows, viz:

#### YEAS—17

Barr,	Haluska,	McCreesh,	Rosenfeld,
Byrne,	Holland,	McGinnis,	Ruth,
Dent,	Lane,	McMenamin,	Silvert,
DiSilvestro,	Leader,	Neff,	Stiefel,
			Yosko,

#### NAYS—27

Berger,	Kessler,	Propert,	Walker,
Blass,	Letzler,	Robinson,	Watkins,



Chapman, Crowe, Diehm, Fleming, Freed,	Mahany, Mallery, Meade, Pechan, Peelor,	Snowden, Stevenson, Taylor, Wade, Wagner,	Watson, Wolfe, Wood, Hare, Presiding Officer
--	---	---	--

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, I would like to take just a few minutes to discuss the merits of the bill without the amendments. Personally, I am rather shocked and surprised to see that a vote on such a measure as this was taken along party lines, that this is the kind of a Christmas present midnight justice is giving to the people of Scranton. I can anticipate fairly well now what the vote on the bill will be, but I would like to make a last minute appeal to reason.

Mr. President, speaking for the people of Scranton, it is important, I think, to understand why the annexation of Lackawanna Township and the city of Scranton came about. As has been mentioned here, the township is familiarly known around Scranton as Minooka and this has gotten to be known as the "Minooka Bill." As we all know, the coal regions in general, and Lackawanna County as much as any of the other anthracite counties, have suffered a gradual decline in economic prosperity for almost two decades. That largely results from the fact that the coal reserves in these counties are gradually being depleted. As a result, a great many people have moved out of the area. Business conditions in general have suffered to a much greater extent than in other parts of this State and the Nation.

Mr. President, following World War II, many civic-minded groups, under the leadership of the Chamber of Commerce, formed a number of committees and organizations which had as their purpose providing for the means to rehabilitate, from an economic standpoint, not only Scranton but all of Lackawanna County. Among other things, these organizations sponsored public fund-raising drives for the purpose of building factories which could be rented to concerns willing to come in there and install machinery and operate plants. A total of more than \$4,000,000 has been raised in Scranton and Lackawanna County since that time by these different drives. These drives have been spearheaded by various groups of people in the community, not only civic groups, but church groups, officers and members of organized labor, public officials and just plain citizens. They have contributed in large measure, many times at great personal sacrifice, not only time but also money to the success of these drives.

Mr. President, sometime ago I distributed, or caused to be distributed, copies here in the Senate of a bulletin put out by the Scranton Chamber of Commerce outlining some of the highlights of that drive to provide new employment in Lackawanna County. Mr. President, the "Scranton Story," incidentally, has come to be well-known all over the Country. Scranton's efforts to rehabilitate itself have been publicized in national magazines and in many financial journals such as Barrons, Business

Week and that sort of thing. In the five years since World War II ended, thirty-nine new plants have been built in Scranton, many of them with the funds raised by these public drives, and fifty-five plants have been expanded. Scranton has come a long way out of the slough of the depression in which it found itself in the latter part of the 1930's. But, the job is not yet finished.

Now, Mr. President, as a part of this drive to rebuild Scranton, those who were spearheading it decided that one of the places in which new factories could be built close to Scranton was in Minooka. Now, it so happens that Scranton is located in a valley and there is not a great deal of level ground that is vacant on which new buildings could be built. It is also somewhat of a problem to secure level ground which is not undermined. Therefore, it was decided to try to interest the people in Lackawanna Township in joining the city of Scranton because they do have a great many acres of level ground which is free from undermining in this particular township. Since that time, at least five factories have been built in Minooka. They include a plant of the Trane Company, which has its headquarters in the State of Wisconsin, which company manufactures radiator and heating equipment, a subsidiary plant of the General Electric Company, as well as others. These factories have already provided thousands of jobs, and their employment potential is even greater. They are important factors in Scranton's drive to attract new industries.

Mr. President, as I have said before, those plants were built in part by public moneys, that is money raised publicly, and some of them have been partially financed by loans from local banks. Both the people of Scranton and the people of Minooka voted to consolidate into one municipality, and Minooka became the twenty-fourth ward of the city of Scranton. Prior to that time on one previous occasion, the people of Minooka voted to merge with the city of Scranton, but the measure did not pass in the city. So, the people of this township have twice expressed themselves as being in favor of joining with the city. I might say that I understand as a part of the continued efforts to industrialize Scranton, plans are being laid for further drives to annex other surrounding boroughs and townships to the city of Scranton.

Mr. President, to say that this bill has attracted considerable attention in the city of Scranton since it was introduced is an understatement. It has been very much a key issue, and it seems to give a fair recital of the history and facts surrounding the annexation of this particular township and the reasons why it was annexed. Now, I would never ask any Member of this Body to vote for a bill in which I was interested, or to vote against it, unless I gave him the benefit of all of the facts which I had at my command. It has been rumored that this bill has a political tinge. For the benefit of those Members who are not familiar with the political situation involved, I want to explain it to you so that you will not be voting under a misapprehension. I will explain it as impartially and as frankly as I possibly can.

Mr. President, Minooka is largely a Democratic area and has been for years. At the last election, the vote was something like 850 for the Democratic candidates and 150 odd for the Republican candidates. The majority in

Minooka, now the Twenty-Fourth Ward of the city, will run 800 to 1,000, or has in elections in recent years, for Democratic candidates. Now, the city of Scranton at the present time has a Democratic registration lead, and the officers in City Hall and Council are members of the Democratic Party. Why then this bill? Certainly there must be a motive, certainly there must be an ulterior aspect to it which does not appear on the face of it. For certainly on the face of this bill it is unsound in principle. From the standpoint of those in Scranton, who are trying to rebuild Scranton, it is an unfair, an unreasonable and an unconscionable bill. It is a fraud on every person who has contributed one penny by way of buying new factories.

Mr. President, let us examine for a moment who will be the chief beneficiaries of such a bill. First of all, of course, the former officials of the township, perhaps we can say, would like to get their jobs back. If that is true, I am sorry to say that they are members of my own party. If they are interested, if that is their motive, I consider it very selfish, very cheap politics. Now, it may hurt me, if I should ever run for any other public office to say that about members of my own party. But whether or not I am a political casualty it seems to me is immaterial. The welfare of the great majority of the people of Scranton and Lackawanna County is much more important than the welfare or a place at the public trough of any politician.

Mr. President, it is also well to examine the possibility of whether or not the sponsor of this bill would benefit. One of the sponsors, Representative Spencer, is a Republican Member of the House from Lackawanna County. Now, the particular district in which he runs, in which this former township is located, to my knowledge has never sent a Democrat to the Legislature. What possible benefit it can be to him in future elections in that district I cannot conceive. Whether or not there is any political deal here, I do not know, but certainly we have got to consider that aspect of it.

Mr. President, it has also been said that perhaps some members of the Republican Party in Scranton would be interested in seeing this township removed from Scranton because of its heavy Democratic registration. Well, I leave it to your judgement as to whether or not that is a sound motive for such a bill as this. It is a fact that the last time a mayor was elected in the city of Scranton in 1949, the Democratic candidate was elected by a majority of 12,000 votes. I do not see that a mere 800 votes one way or the other would have made much difference. It is also true that last month the County Commissioners and the majority of the county candidates on the Democratic ticket carried the city of Scranton by 3,000 to 3,500 votes. It could not have made any difference in that election. It is true, however, that at least one of the candidates, the candidate for tax collector in the city on the Republican ticket, would have been elected without the vote in the twenty-fourth ward.

Now, Mr. President, certainly any politician, I do not care what party he is a member of, who comes down here to this body and says, "Please vote for and pass such a bill as this because this will help us or can conceivably help in the future," to my mind is not a wise or a sound politician. I do not think it is helping your party

if some of your leaders from Scranton have said that to you and pointed out to you that it would have made a difference in one particular election for one particular office. I happen to know the Republican candidate for tax collector. He is a young man, well known and a very high type fellow, and I think he would have gotten a good vote no matter what happened. I think perhaps everybody in the room here is a more experienced politician than I am, but certainly you know that each election is different. Just because somebody voted one way five years ago, ten years ago or one month ago is no guarantee that the vote will be the same next year, or five years from now or ten years from now. Regardless of what we might feel or the desire we might have to gain partisan political advantage, that is certainly no reason to ask intelligent men holding a position of responsibility such as we have, to become a party to a cheap, ward-level, selfish, vicious political deal. Such measures and such motives have no part in the reasoning or the thinking of the Members of the Senate of Pennsylvania.

Mr. President, this bill has been opposed by every worthwhile civic, independent, charitable, church, labor management and every other possible type of group in Scranton which has the welfare of the people of Scranton at heart. Both newspapers have opposed it editorially. Let me read to you just part of an editorial, one of a series that appeared in the Scranton Times, on August 16 of this year.

"The measure, introduced in the House at the instance of a group of disgruntled jobholders and politicians in Minooka (now the 24th Ward of Scranton), would make it possible for the old township to secede from the city by a vote of the people of this locality. It is pointed out that annexation was brought about by the joint vote of the people of township and city."

I repeat, Mr. President, that if I should ever run again for any public office, I am not interested in securing votes from the type of politicians who might sponsor such a bill and whose level of political thinking is so low.

Mr. President, the Scranton Times is a normally Democratic newspaper. Let me read now from our other daily newspaper, the Scranton Tribune, which is a Republican newspaper in the city of Scranton. Incidentally, I believe that the Chamber of Commerce had these editorials lithographed and sent to every Member of the Senate. I personally have written a letter to every Member of this Senate explaining in some detail the background of this bill, and I am going into it here tonight because I have the utmost respect for every Member of the Senate on the other side of the aisle. Much as we might disagree on some measures, I believe the Members are reasonable, intelligent and inherently honest. I am trying to be as fair as possible with you in my effort to explain all of the surrounding circumstances in connection with this bill. The editorial in the Republican newspaper, and it is only one of many which has appeared on the subject, reads as follows:

#### A FALSE FACE BILL

"Members of the State Senate at Harrisburg are expected to be asked shortly to vote upon a measure which would allow the electors of Scranton's 24th Ward, formerly



Lackawanna Township, to vote themselves out of the City of Scranton and back into the status of a township.

"This would be a one-sided referendum in that the people of the City of Scranton as a whole would be denied an opportunity to express themselves on the issue. Only those of the 24th Ward would be allowed to vote.

"The measure was introduced in the House by Republican Representative Henry C. Spencer, Lackawanna's lone GOP Representative. It was subsequently passed by the House and sent to the Senate.

"To the best of our knowledge Representative Spencer has never publicly advanced any reason for the introduction of this bill. He has never named anyone directly interested in this legislation nor cited a good or sufficient cause for placing this legislation on our statute books."

This, may I remind the gentlemen of the Senate, is the Republican newspaper in the city of Scranton. It goes on:

"However, because he is a Republican there unquestionably will be those in the Republican majority in the Senate who will assume that this bill has the blessing of the Republican organization of Lackawanna County.

"That is not the case.

"No Republican Party leader in Lackawanna County has ever publicly endorsed or approved or even spoken favorably for the enactment of this measure.

"To the contrary, scores of prominent Republicans, active civic leaders, substantial and representative citizens, have publicly condemned this proposed legislation as injurious to the economic welfare of a community which is endeavoring to rehabilitate itself by inducing new industry to come to Scranton and particularly to the 24th Ward of Scranton which offers many splendid industrial sites.

"We fully realize that busy Senators now somewhat weary from sitting through one of the longest legislative sessions in the history of the Commonwealth will be inclined to accept as "local" legislation such measures as this and take them at their political face value. If they are Republican sponsored they will usually get Republican support and if Democratic sponsored, Democratic support.

"But the political face on this piece of legislation is a false face and we ask the Republican members of the State Senate that they be not fooled by it.

"Frankly, we don't know who this false face represents. Mr. Spencer has not told us. There are several reports and rumors and whatnot about it. One is to the effect that the Democratic set of officeholders who formerly controlled Lackawanna Township for years on end are desirous of getting back into power. Another report has it that some "special interests" are looking for special tax benefits.

"But whatever the motive, the members of the Republican Party in the Upper House at Harrisburg may be certain that this is not Republican Party sponsored legislation and they are under no party obligation to support it. Rather, because the electors of the City of Scranton who voted for the consolidation of the Township with the city, are in the majority Republican," (that was true, incidentally, at that time, but at the last registration drive by a slight majority the city became Democratic) "the Republican Senators would be sustaining their judgment and their desire in keeping the status quo.

"The Tribune respectfully requests the Republican members of the Senate to reject this bill.

Members of the Senate, the hour is getting late. This bill is perhaps of no interest to many Members of the Senate. But, as Members of this Senate we are duty bound by our oaths to pay equal attention and give equal consideration to every piece of legislation on which we are called upon to vote, regardless of whether it affects one citizen, five thousand citizens or all of the citizens, for instance, in the largest city in the Commonwealth, Philadelphia, with more than a million population. It seems to me that from a political standpoint it is not an adroit thing for the Republican Party to steamroller and railroad through this Senate tonight. It seems to me that every possible vote that any Republican candidate in the future could gain by whatever sordid, cheap, political deal has been concocted by the ward-level politicians of both parties will be more than offset, double or triple or quadruple, by the independent and high-minded voters of either party, particularly those many independent high-minded registered Republican citizens in the city of Scranton and the businessmen who live in the other suburbs who would certainly reject this legislation. Certainly for every vote that a Republican candidate could hope to gain in Minooka, they would lose three, four or more in the other towns involved in this development of Scranton.

Mr. President, if there is any one fact that seems to be clear or seems to be a trend in post-war politics in America, it seems to be that the day of the independent voter has just about arrived in the United States. Looking back through American history we can come to the conclusion that we have especially blessed by Providence, for just as we face a seemingly insurmountable crisis, as has happened so many times in our history, some circumstance, some leader, some factor, something comes along and gets us through that crisis. We are now entering perhaps the most troublesome and crucial period of American history, a period which will continue for five, ten or twenty years in a state at least of an armed camp while atheistic communism runs rampant through much of the world. It is fortunate that in this day, thanks to America's public school system, we are producing in America an independent class of voters who cannot be controlled by ward heelers of any party. That is one fact which to my mind stands out in election after election in post-war America, from coast to coast. Certainly it was true in New York City in recent years, and it has been true in cities in Pennsylvania and it has been true in other cities and states throughout the Nation.

Mr. President, a bill such as this is a slap in the face of every right thinking independent-minded citizen in the city of Scranton. This can only drive voters away from the Republican Party, and I say that, of course, with mixed emotions. But I so strongly feel for the people who have invested money, who have invested hopes, who have decided to raise their families in the city of Scranton, that I must appeal for the defeat of this measure tonight. You just cannot keep on ignoring independent voters. As somebody has said here before this year, you can pass this measure, of course you can. You have the votes. You have thirty and we are but twenty, and I see by the vote that was taken on the amendments that party lines were drawn. But I say to the Republican Members of this Senate that you just cannot keep up this railroading and steamrolling of unsound legislation, repugnant to every decent citizen, in the hope of picking up one hundred or two hundred

votes willy-nilly here and there throughout the Commonwealth.

Mr. President, at the rate that we have been going throughout this Session each day and each week, I have renewed hopes that before long I will be able to come down here and see that we are not limited to twenty votes on our side, because throughout this Session the Democratic Party and the Democratic Senators have consistently tried to place themselves on the side of good government. This sort of thing has got to stop in America. We cannot have this type of selfish, vicious legislation which ignores the general welfare of the many for the political welfare of a few.

Members of the Senate, in all good conscience, I ask you now to cast your vote against this cheap political trick, this false face bill," this vicious piece of legislation.

Mr. MCGINNIS. Mr. President, this bill is abhorrent to me. I have stood here the last couple of days and have seen this Legislature trying to dominate the county of Allegheny, the city of Pittsburgh. I think it was last night that this Legislature tried to dominate the city of Phila. Not on a wage tax, that was not the question at all; it was a question of dominating and ruling the council of Philadelphia on their own problems. I never voted for a wage tax in my life or a sales tax, but I am telling you that if I lived in the city of Philadelphia and my city was going to ruin and disgrace, I would vote for a wage tax to save it. I say this Legislature has no right to throttle the people of Philadelphia or Pittsburgh or Scranton. Let them rule, that is democracy.

Mr. ROSENFELD. Mr. President, I learned a long time ago how exasperating and frustrating it can be when you are talking into the wind or talking into closed minds, and I do not intend to aggravate myself by making any attempt to do so tonight. I just ran through the Legislative Directory of the Senate in order to determine who on the other side were bankers, and while I thought I knew that some were or were connected with banks, I did not note in the Directory that any of them were so listed. This thing is so utterly ridiculous that I cannot imagine our wasting so much time discussing it.

Mr. President, I am sure some of the gentlemen on the other side know something about municipal bonds. I am sure some of them on the other side probably own some or belong to banks or run banks which have some, and I wondered whether you had seriously considered what was behind a municipal bond. Now, here we have the city of Scranton, and apparently this bill refers to the city of Scranton, although it can refer to any city. What is back of a municipal bond? It is the real estate value, it is the interest, it is good work. Those who are bankers know what a study is made before you will go into buying municipal bonds, and yet here tonight you are beginning to permit a separation, a taking away of the security behind municipal bonds that is just going to ruin the bond market if you do not stop it.

Mr. President, this kind of a bill can be expanded and expanded until the bond that a city gives out is not worth what it is written on, and I say to you this is purely a question of the tail wagging the dog. Fifty people in this township are going to be able to hold a gun at the head of the city of Scranton, and every two years say, "If you do not give us what we want, we are going to secede." Now, if you have not considered that point up to now, I

say consider it very very carefully or else you are going to kill the municipal bond market in the Commonwealth of Pennsylvania.

Mr. BARR. Mr. President. I would like to ask the Chair if there is anyone on the Majority side who would like to be interrogated to defend this bill?

Mr. WALKER. Mr. President, behold a sacrificial lamb is placed upon the altar. I will submit to the interrogation by the gentleman from Allegheny, Senator Barr.

Mr. BARR. Senator Walker, could you tell me why this bill laid on the Senate Calendar for four months and five days?

Mr. WALKER. Mr. President, this bill was on our Calendar for that period of time because of the many controversial measures which were before the Senate, and we believe in picking up one tack at a time.

Mr. BARR. Mr. President, I desire to further interrogate Senator Walker.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be further interrogated?

Mr. WALKER. I will, Mr. President.

Mr. BARR. Senator Walker, during that time we have had several, what you may call, vacations. Did you study this bill during any of those supposed vacations?

Mr. WALKER. Mr. President, I refuse to answer the question until the gentleman defines his word "vacation."

Mr. BARR. Well, Mr. President, perhaps I should be more definite by saying that we took time off for the general election and time off for a primary election. Did you, Senator Walker, at any time while you were at home take this bill along with you and peruse it and study it?

Mr. WALKER. Mr. President, is the gentleman attempting to suggest that during the time I was a candidate I had time to read a bill when I was trying to get elected to public office, and successfully so?

Mr. BARR. Mr. President, he has answered my question.

Mr. WALKER. Mr. President, in spite of the gentleman's personal attacks—

Mr. BARR. Mr. President, the gentleman has answered my question. He has not studied the bill.

Mr. WALKER. Mr. President, during that time I had not. I have studied the bill in the meantime. If the gentleman wants to interrogate me about the bill, I am perfectly willing to be interrogated.

Mr. BARR. Mr. President, the interrogation is over. The gentleman may sit down.

Mr. President, it appears to me that these punitive bills that arrived on our Calendar in the past two weeks, all of them involve three metropolitan areas of Pennsylvania; namely, Democratic Pittsburgh, the new Democratic Philadelphia and Democratic Scranton. I would like to refer to these bills more as the Fleming Bills, because every punitive piece of legislation regarding the city of Pittsburgh and county of Allegheny has been guided by the "Reverend Fleming." I would like to add further that the gentleman does not even live in the city of Pittsburgh.

I would like to also state that the reason I am saying these things, Mr. President, is that I know I am not going to change a vote, but what happened in this Senate on Monday night of this week has never happened in my history of twelve years before, and which I do not think, and I hope, will happen again, but there is a certain Senatorial courtesy. It is true that I was not in the Senate



on Monday night; I was confined to my room at the hotel, and there was a punitive bill, which the House of Representatives had sense enough to kill, brought up before this Senate, the very bill that can be compared to such a thing as this bill, House Bill No. 587.

Mr. President, some of my colleagues asked that that bill, Senate Bill No. 893 be carried over until I could return the next day. The gentleman, in his eagerness to pass this punitive legislation, denied that courtesy to my colleagues and to me. I have been wanting for several days to mention that fact.

Mr. President, we have here in my opinion one of the worst bills which has ever been introduced. This bill is what I would call a steal. When I say "a steal," I mean reaching into the pockets of the citizens of the city of Scranton. The people of Scranton have spent their money building streets in this Lackawanna Township, or in what now is known as Minooka. They have spent their money building, I think, a police and fire alarm system. The Chamber of Commerce, I also might say, Mr. President, through the aid of the Federal Government, conducted a research in order to find new industries to move into the hard coal region, because it was only presumably a one industry part of our Commonwealth. Through their research and through the action of the city fathers of Scranton, the Chamber of Commerce of the city of Scranton found one flat spot near the city of Scranton where they could develop some factories. It is my understanding that in this large township, since they have been absorbed into the city of Scranton, they have built some five major factories. These men who brought these factories in there, Mr. President, built them on good faith. They built them because they thought they were a part of the metropolitan city.

Mr. President, if we pass this bill tonight, I do not know whether they will stay. I cannot say that. I cannot speak for them, but look one step further as to what is in this bill. This is the tail wagging the dog in government. Here is a major city. It voted, and the people in Lackawanna Township voted, to annex to the city of Scranton. That was the beginning of the animal. Now, Mr. President, you have this punitive thing. You have this one little portion of people living in Minooka, or what was known as Lackawanna Township, and you say they can secede from the city of Scranton. In doing so, Mr. President, the people who bought the bonds, the bankers, that were sold by the city of Scranton are being short-changed. I do not know who is the master mind behind this. I know Senator Walker is not, but he took—I admire him for it—but he took the blunt to get up and answer, and I really want to ask the Majority Leader, if I may have the permission to interrogate him again, just one question.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Yes, Mr. President.

Mr. BARR. Senator Walker, could you tell me who is the master mind behind this piece of, I will not call it legislation, this despicable piece of, I just can't find the word to describe it, but I think he knows what I mean?

Mr. WALKER. Mr. President, until the gentleman completes his question, I will have to stand here and wait.

Mr. BARR. Senator Walker, shall I word it again?

Mr. WALKER. Senator Barr, you can do better than that.

Mr. BARR. Mr. President, being a gentleman, I do not want to use the word which I think fits the bill.

Mr. WALKER. What is the question, Mr. President?

Mr. BARR. Mr. President, I would like to know who on the Republican side is the master mind or the pusher of this punitive piece of legislation.

Mr. WALKER. Mr. President, House Bill No. 587 was sponsored by two distinguished gentlemen of the House who have long records of efficient, efficient statesmanship in the legislative halls of the Commonwealth of Pennsylvania, and they have advanced this measure as a constructive contribution to better government in Pennsylvania.

Mr. BARR. Mr. President, that is part of the answer. Now, I want to ask the gentleman, I was over in the House today and tried to get action on some bills, some of which had your name and my name on, and we have sponsored some good legislation. I would like to know who in the Pennsylvania State Senate was the pusher, the instigator, in having this bill called off the Postponed Calendar.

Mr. WALKER. Mr. President, in answer to the gentleman's question twenty-nine—twenty-eight, excuse me, I do not want to exaggerate at a time like this, twenty-eight Members of this Senate, impressed by the necessity for this bill in order to promote better legislation, better government in the Commonwealth of Pennsylvania, decided that the time had arrived to present this bill to the people of the county involved.

Mr. BARR. Mr. President, may I interrogate the Chairman of the Finance Committee, Senator Newell Wood?

The PRESIDING OFFICER. Will the gentleman from Luzerne, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I will, Mr. President.

Mr. BARR. Senator Wood, this town I presume touches Luzerne County. Am I correct?

Mr. WOOD. Mr. President, the gentleman, as usual, is not properly informed. Minooka is in the county of Lackawanna. It does not border on the county of Luzerne. It is commonly referred to by the people in Luzerne as the suburban part of Luzerne County.

Mr. BARR. Mr. President, may I further interrogate the gentleman from Luzerne, Senator Wood?

The PRESIDING OFFICER. Will the gentleman from Luzerne, Mr. Wood, permit himself to be further interrogated?

Mr. WOOD. I will, Mr. President.

Mr. BARR. Mr. President, I appreciate the fact that Luzerne County is a fine county, the Governor of our Commonwealth comes from there, but I would like Senator Wood to answer the question, does this county border on your county of Luzerne?

Mr. WOOD. Mr. President, the county borders on Luzerne County. You all know enough geography to know that.

Mr. BARR. Mr. President, does the township of Lackawanna, now known as the Twenty-fourth Ward, border on the line of Luzerne?

Mr. WOOD. Not that I know of, Mr. President.

Mr. BARR. Well, Senator Wood, I presume you are aware of where this Lackawanna Township was.

Mr. WOOD. Mr. President, I have a faint idea.

Mr. BARR. Senator Wood, are you interested in passing this bill?

Mr. WOOD. I beg the gentleman's pardon, Mr. President?

Mr. BARR. I said, Senator Wood, are you the prime mover in passing this bill?

Mr. WOOD. Mr. President, it is all I can do to concern myself with legislation dealing with Luzerne County and a few slight errands the Governor asks of me from time to time. I cannot get up into Lackawanna County, I am sorry.

Mr. BARR. In other words, Mr. Wood, you have no interest in Lackawanna County?

Mr. WOOD. No. Mr. President, just a political interest.

Mr. BARR. That is all I want to know, Mr. President.

Mr. LANE. Mr. President, I would like to interrogate the Majority Leader.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Yes, Mr. President.

Mr. LANE. Senator Walker, at the Republican Majority Caucus—

Mr. WALKER. Mr. President, what happens in the Caucus of the Republican Party is confidential, and I am sorry that up to this point the gentleman has not qualified as a member.

Mr. LANE. Mr. President, it seems to me that since the Majority Leader is so reluctant to make a definite statement, the Republican Majority has caucused on this legislation, and I am not politically naive enough to think that anything I might do would change one vote, so we might as well go on with the vote.

Mr. YOSKO. Mr. President, I was sorry that the Republican Caucus decided to support this bill, but out of respect to our distinguished colleague, Senator McMenamin, considering the arguments that he presented here tonight, considering the information that he conveyed to us here tonight, reflecting the opinion of the newspapers as well as the general public in the city of Scranton and the surrounding area, frankly I think, out of respect to him, we ought to recess. I am going to ask the Republican side to call a recess and caucus on this bill again, and consider the arguments which Senator McMenamin presented here tonight. After all, this bill affects only his district, not my district, not the district of any one of the other forty-nine Senators in this Chamber, and he is in here fighting to keep his district intact. I am sure if a similar bill were presented here affecting the district of any one Member of this Senate, he would want the same consideration extended that he is asking you to extend him, on his arguments here tonight.

Mr. President, I respectfully request that the other side reconsider its action on the basis of the arguments which Senator McMenamin presented here this evening.

And the question recurring,

Shall the bill pass finally?

Mr. LEADER. Mr. President, I ask for a verification of the roll.

Mr. LANE. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Kephart,	Peelor,	Wagner,
Blass,	Kessler,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Snowden,	Watson,

Diehm,  
Fleming,  
Freed,

Mallery,  
Meade,  
Pechan,

Stevenson,  
Taylor,  
Wade,

Wolfe,  
Wood,  
Hare,  
Presiding Officer

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Barr,	Haluska,	McCreesh,	Rosenfeld,
Byrne,	Holland,	McGinnis,	Ruth,
Dent,	Lane,	McMenamin,	Silvert,
DiSilvestro,	Leader,	Neff,	Stiefel,
			Yosko,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Kephart,	Peelor,	Wagner,
Blass,	Kessler,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Snowden,	Watson,
Diehm,	Mallery,	Stevenson,	Wolfe,
Fleming,	Meade,	Taylor,	Wood,
Freed,	Pechan,	Wade,	Hare,
			Presiding Officer

#### NAYS—17

Barr,	Holland,	McGinnis,	Ruth,
Byrne,	Lane,	McMenamin,	Silvert,
Dent,	Leader,	Neff,	Stiefel,
DiSilvestro,	McCreesh,	Rosenfeld,	Yosko,
Haluska,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his question of personal privilege.

Mr. WALKER. Mr. President, during the debate on the the distinguished gentleman from Lawrence, Senator Neff, bill which has just been passed by this Senate, my friend, was engaged in a vehement, vicriolic attack upon me personally. I now ask unanimous consent of the Senate for the gentleman to continue that contemptible cowardly statement.

#### PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, the gentleman is condemning a statement made by one, but he is also making statements which are just as derogatory and just as inflammatory or more so than any that were made prior to his statement.

Mr. President, an individual may, in the heat of an argument, say things without premeditation, but when a



man says things later with premeditation and deliberation, that gentleman may find that his remarks are less excusable than those made prior. I do not think that it does him or any other individual any good in the Senate to use the Senate floor for a political or personal discussion, rather, and I think if there are any differences between the gentlemen, they can iron them out outside of the Senate floor.

The PRESIDING OFFICER. For the information of the Members of the Senate, no person in speaking is to mention a Member then present by his name, but to describe him by his seat in the house or who spoke last or on the other side of the question.

The Chair further rules that there is nothing now in order but the Calendar, and we will proceed to that order of business.

Mr. WALKER. Mr. President, I think I asked for the floor on the question of personal privilege.

The PRESIDING OFFICER. That is correct.

Mr. WALKER. Mr. President, I accept the suggestion of the gentleman from Westmoreland, and I agree with him that the gentleman from Beaver and I will continue the discussion in the latrine where the conversation will probably seek its proper level.

#### PERMISSION TO ADDRESS SENATE

Mr. NEFF asked and obtained unanimous consent to address the Senate.

Mr. NEFF. Mr. President, I would like to say in answer to the remarks made by the gentleman from Allegheny that when talking to a sewer inspector, the latrine is the proper place to hold such a discussion.

The PRESIDING OFFICER. The gentleman is out of order.

#### PARLIAMENTARY INQUIRY

Mr. BARR. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Barr, will state his question of parliamentary inquiry.

Mr. BARR. Mr. President, I notice there is a bill which passed in the House of Representatives, namely House Bill No. 106, and I would like to know if it has gone over the desk as yet.

The PRESIDING OFFICER. For the information of the Chair, when did the bill pass?

Mr. BARR. It passed yesterday, Mr. President.

(The Senate was at ease.)

The PRESIDING OFFICER. For the information of the gentleman from Allegheny, Senator Barr, the bill is presently in the Senate Committee on State Government. Does that answer the question of parliamentary inquiry?

Mr. BARR. Mr. President, may I ask when it was referred?

The PRESIDING OFFICER. It was referred yesterday.

Mr. BARR. Mr. President, I think you must be wrong.

(The Senate was at ease.)

The PRESIDING OFFICER. For the information of the gentleman from Allegheny, the bill in question passed the House on December 19 and was referred to the Senate Committee on State Government on December 19.

Mr. BARR. Mr. President, I ask unanimous consent to make a short statement, about three lines.

The PRESIDING OFFICER. The gentleman from Allegheny may proceed.

Mr. BARR. Mr. President, we passed a bill in the Senate last week, sponsored by Senator Wade, and we often referred to it as the "Little Hoover Commission." The House has passed now a similar bill. In my opinion it is one of the most necessary bills in this Session of the Legislature. It appears to me that this is one of those games of ping-pong, back and forth, and nothing is going to be done.

It appears now Mr. President, that Senator Wade's bill is dead. If nothing is done by the State Government Committee tonight to bring that bill out into the light, the many many bureaus which we have here in the State Government will continue and the tax load will increase, and, God only knows, we have been here for twelve months this year and with 333 and 334 on the books, the next Session of the Legislature will probably be here a year and a half unless something like this is accomplished.

#### HOUSE BILL No. 1742 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1742.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1742, entitled:

An Act to amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by providing for a State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendment:

Amend Section 1, page 2, line 6, by inserting at the end of the line after the word "repealed" the following: "Provided however That section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (Pamphlet Laws 408) as amended shall remain in full force and effect".

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendments:

Amend Sec. 2, Section 24, page 3, line 11, by striking out at the end of the line after the word "liable" the following: "under the first and twenty-first sections of this"; Amend Sec. 2, Section 24, page 3, line 12, by striking out at the beginning of the line before the word "a" the following: "act"; Amend Sec. 2, Section 24, page 4, line 3, by striking out at the end of the line after the word "features" the following: "which"; Amend Sec. 2, Section 24, page 4, by striking out line 4 and inserting in lieu thereof

the following: "in addition"; Amend Sec. 2, Section 24, page 4, line 14, by inserting after the word "premiums" and before the word "of" the following: "premium deposits and assessments".

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WOOD offered the following amendments:

Amend page 1, line 5 of the title, by striking out at the end of the line after the quotation mark following the word "nine" the following: "by providing for"; Amend page 1, line 6 of the title, by striking out at the beginning of the line before the word "State" the following: "a" and inserting in lieu thereof the following: "with respect to the".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### NOMINATIONS BY THE GOVERNOR REFERRED TO THE COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 20, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Olin W. Evans, Wilkes-Barre, for appointment as a member of the Board of Trustees of Mansfield State Teachers' College, from May 6, 1949, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### MEMBER OF THE PENNSYLVANIA BOARD OF PAROLE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 20, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Major Henry Clarke Hill, Harrisburg, Dauphin County, for reappointment as a member of the Pennsylvania Board of Parole, for a term of four years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### HOUSE MESSAGES

##### HOUSE CONCURS IN SENATE BILL NO. 552

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania,

with the information that the House has passed the same without amendments.

##### HOUSE CONCURS IN SENATE BILL NO. 554

He also returned to the Senate, Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School, situate in Delaware County, Pennsylvania.

with the information that the House has passed the same without amendments.

##### HOUSE CONCURS IN SENATE BILL NO. 557

He also returned to the Senate, Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

with the information that the House has passed the same without amendments.

##### HOUSE CONCURS IN SENATE BILL NO. 560

He also returned to the Senate, Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

with the information that the House has passed the same without amendments.

##### HOUSE CONCURS IN SENATE BILL NO. 561

He also returned to the Senate, Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

with the information that the House has passed the same without amendments.

##### HOUSE CONCURS IN SENATE BILL NO. 570

He also returned to the Senate, Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

with the information that the House has passed the same without amendments.

##### HOUSE CONCURS IN SENATE BILL NO. 571

He also returned to the Senate, Senate Bill No. 571, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects



with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 577

He also returned to the Senate, Senate Bill No. 577, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 579

He also returned to the Senate, Senate Bill No. 579, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 667

He also returned to the Senate, Senate Bill No. 667, entitled:

An Act to amend subsection (c) of Section 2 of the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation," by increasing the compensation of the members of board.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 685

He also returned to the Senate, Senate Bill No. 685, entitled:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (Appropriation Acts page 49) entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto" by extending the purpose of the appropriation to cover all flood damage.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 731

He also returned to the Senate, Senate Bill No. 731, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain moral claims; providing for the hearing, adjustment and payment of moral claims to members of the Workmen's

Compensation Board and referees suffered as a result of delay in confirmation of appointments made by Governor to such offices.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 732

He also returned to the Senate, Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing adjustment and paying of moral claims growing out of the property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 754

He also returned to the Senate, Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 778

He also returned to the Senate, Senate Bill No. 778, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to acquire certain tracts of land for the use of the Harrisburg State Hospital, and making an appropriation therefor.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 811

He also returned to the Senate, Senate Bill No. 811, entitled:

An Act to further amend Section 205 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be deter-



mined," by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 872

He also returned to the Senate, Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by extending the time within which regulations must be filed in the Department of State.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 897

He also returned to the Senate, Senate Bill No. 897, entitled:

An Act to implement Article fourteen, section eight of the Constitution of Pennsylvania; providing for the election or appointment, compensation, terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia; abolishing other such former County officers, boards, and commissions and distributing their former duties; specifying the former County employees who shall have a civil service status under the Philadelphia Home Rule Charter, and upon what conditions; exempting certain officers and employees from the civil service provisions of the Philadelphia Home Rule Charter; imposing additional duties upon the Governor of the Commonwealth and upon the judges of the Courts of Common Pleas, the Judges of the Orphans' Court, the Prothonotary, the Board of Registration Commissioners, and certain City officers, departments, boards and commissions of Philadelphia; specifying how the number, qualifications and compensation of employees who were not heretofore City employees but who were paid out of the City treasury, shall be determined; and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

with the information that the House has passed the same without amendments.

#### SENATE BILL NO. 399 RETURNED WITH AMENDMENTS

An Act to amend Section 11.1 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association.

with the information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### SENATE BILL NO. 400 RETURNED WITH AMENDMENTS

An Act to amend Section 12.1 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor, who ceases to be a public school employee, and becomes a State employee and a member of the State Employees' Retirement Association.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### SENATE BILL NO. 652 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 652, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing credit for retirement purposes for out-of-state service in certain cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### SENATE BILL NO. 798 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 798, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain



of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time within which State mental hospital employes may become members and within which State employes may become "original members," and permitting additional persons to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### SENATE BILL NO. 880 RETURNED FOR AMENDMENTS

He also returned to the Senate, Senate Bill No. 800, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for minimum retirement allowances in certain cases, and appropriations for payment of the costs thereof.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### SENATE BILL NO. 925 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same; and providing for issuance by county treasurers only.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1441

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1441, entitled:

An Act to further amend clauses (a), (c) and (d) of section three hundred six and section four hundred ten of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "Workmen's Compensation Act of 1915," by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability and changing procedure.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1442

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1442, entitled:

An Act to further amend the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.

#### COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1065 DISCHARGED

He also informed the Senate that the House has discharged the Committee of Conference on House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

#### HOUSE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 1065

He also informed the Senate that the House recedes from its non-concurrence in the amendments made and insisted on by the Senate to House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

#### COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1494 DISCHARGED

He also informed the Senate that the House has discharged the Committee of Conference on House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

#### HOUSE RECEDES FROM NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 1494

He also informed the Senate that the House recedes from its non-concurrence in the amendments made and insisted on by the Senate to House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of the Western Psychiatric Institute and Clinic.

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 1690

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 20, 1951.

Resolved (If the Senate concur), That House Bill No. 1690, Printer's No. 1023, entitled:

An Act to add Section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1046), entitled "School Employes' Retirement Law," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employes' Retirement Board and Fund.

be recalled from the Governor.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 27, entitled:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employes including teachers and other employes of the public school system and officers and employes of State-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employes prohibiting appointment or employment and requiring discharges after hearing in certain cases Imposing conditions on the payment of appropriations to State-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on State and local appointing authorities and certain other State officers.

Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights, from taxation and judicial process; and providing penalties," by extending certain benefits heretofore granted to school employes entertaining the armed forces of the United States to certain other similarly qualified school employes.

House Bill No. 44, entitled:

An Act to amend section 1 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1203), entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries; authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries; and making an appropriation," by increasing the percentage of Commonwealth aid to counties and the maximum amount of aid payable to any county; and making an appropriation.

House Bill No. 163, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P.

L. 30), entitled "Public School Code of 1949," by authorizing school districts of the second, third and fourth classes to levy additional taxes to pay rentals to municipality authorities; authorizing boards of school directors to make additional appropriations or to increase appropriations; authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money, including proceeds of general obligation bonds to municipality authorities; to acquire additional property for authority projects; to lease school projects from and pay rentals to municipality authorities; to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects; providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations; and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority.

House Bill No. 370, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School, situate in Delaware County, Pennsylvania.

Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Senate Bill No. 571, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

Senate Bill No. 577, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Senate Bill No. 579, entitled:

An Act making an appropriation for the purpose of



maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

House Bill No. 640, entitled:

An Act to amend the act approved the sixth day of June, 1893 (P. L. 326), entitled, "A supplement to an act, entitled 'An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon,' approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and eighty-seven," by correcting the name of said institution and of the governing board thereof.

Senate Bill No. 647, entitled:

An Act to further amend Section 429 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, board, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by increasing the salaries of the members the Pennsylvania Securities Commission.

Senate Bill No. 667, entitled:

An Act to amend subsection (c) of Section 2 of the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation by increasing the compensation of the members of board.

Senate Bill No. 685, entitled:

An Act to amend the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (Appropriation Acts, page 49), entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean, Potter and Tioga counties, made necessary by floods of July, one thousand nine hundred forty-two, May, one thousand nine hundred forty-six, and April, one thousand nine hundred forty-eight, and of carrying out the provisions of existing laws relating thereto," by extending the purpose of the appropriation to cover all flood damage.

House Bill No. 714, entitled:

An Act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; providing for leaves of absence; imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws.

Senate Bill No. 731, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain moral claims; providing for the hearing, adjustment and payment of moral claims to members of the Workmen's Compensation Board and referees suffered as a result of delay in confirmation of appointments made by Governor to such offices.

Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing adjustment and paying of moral claims growing out of the property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

Senate Bill No. 742, entitled:

An Act providing for supplementing the police forces of cities, boroughs, towns and townships, for the appointment, powers and control of auxiliary police therein, and for the transfer during disasters and emergencies of such auxiliary police, members of the regular police forces, and police equipment thereof.

Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

Senate Bill No. 769, entitled:

An Act requiring elevators and material hoists used in building construction to be safe and operated by experienced elevator operators; imposing duties upon building inspectors and providing penalties.

Senate Bill No. 778, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to acquire certain tracts of land for the use of the Harrisburg State Hospital, and making an appropriation therefor.

House Bill No. 792, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates, and for their admission to, and care therein, and the payment of the cost thereof.

Senate Bill No. 801, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns benefits and rights from taxation and judicial process and providing penalties," by permitting employees to make up back payments to the retirement system from the time they entered school service and securing to such employees the full benefits of the retirement system from the time they entered school service.



Senate Bill No. 811, entitled:

An Act to further amend section 205 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

House Bill No. 819, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, officers and other administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by extending the time within which regulations must be filed in the Department of State.

Senate Bill No. 897, entitled:

An Act to implement Article fourteen, section eight of the Constitution of Pennsylvania; providing for the election or appointment, compensation, terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia; abolishing other such former County officers, boards, and commissions and distributing their former duties; specifying the former County employes who shall have a civil service status under the Philadelphia Home Rule Charter, and upon what conditions; exempting certain officers and employes from the civil service provisions of the Philadelphia Home Rule Charter; imposing additional duties upon the Governor of the Commonwealth and upon the judges of the Courts of Common Pleas, the Judges of the Orphans' Court, the Prothonotary, the Board of Registration Commissioners, and certain City officers, departments, boards and commissions of Philadelphia; specifying how the number, qualifications and compensation of employes who were not heretofore City employes but who were paid out of the City treasury, shall be determined; and providing that this act may be modified by amendment of the Philadelphia Home Rule Charter except in certain particulars.

Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1531), entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office;

invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time; and imposing duties and conferring powers on recorders of deeds."

Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May, one thousand nine hundred forty-nine (P. L. 1340), entitled "An act requiring political subdivisions to file copies of zoning ordinances, together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances, in the recorder's office; invalidating zoning ordinances heretofore adopted unless copies thereof, together with maps, are filed within a certain time; and imposing duties and conferring powers on recorders of deeds."

House Bill No. 937, entitled:

An Act to amend Section 3 of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalties," by permitting the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

House Bill No. 959, entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "Beverage License Law," by further regulating and limiting the issuance of distributors' and importing distributors' licenses and further regulating sales by licensees.

House Bill No. 967, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," providing for sick and disability leave with salary, and hospital and medical expenses, for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto, further regulating licensing and the suspension and revocation of such licenses; prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

House Bill No. 1066, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia, Pennsylvania.

House Bill No. 1073, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of the Pennsylvania Soldiers' Orphan



School, to acquire an unimproved tract of land in Franklin County for the use of the Pennsylvania Soldiers' Orphan School; and making an appropriation.

House Bill No. 1085, entitled:

An Act to amend Section 432 and Section 472 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. , Act No. 21), entitled "Liquor Code," by providing that no wholesale distributor's license shall be granted in any municipality where the electors have voted against licensing places for the sale of malt or brewed beverages; bringing wholesale distributors within local option provisions now applicable to retail dispensers and providing where tie vote occurs on local option question, the status quo obtains.

House Bill No. 1121, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

House Bill No. 1122, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

House Bill No. 1126, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education and research.

House Bill No. 1127, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

House Bill No. 1130, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

House Bill No. 1135, entitled:

An Act to amend the title and Sections 2 and 3 of the act, approved the third day of June, one thousand nine hundred forty-three (P. L. 847), entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations; and making an appropriation," by authorizing the State Council to purchase, own, install, maintain and lease, equipment and accessories for suitable business enterprises for the blind, accept Federal funds and making an additional appropriation.

House Bill No. 1138, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh.

House Bill No. 1139, entitled:

An Act to further amend the first paragraph of section 13 of the act, approved the nineteenth day of March, one thousand nine hundred nine, (P. L. 46), entitled "Osteopathic Practice Law," by changing the time and increasing the fee for annual registration of osteopaths.

House Bill No. 1141, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

House Bill No. 1143, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction to complete the new Boys' Dormitory.

House Bill No. 1144, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

House Bill No. 1146, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

House Bill No. 1147, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

House Bill No. 1148, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

House Bill No. 1149, entitled:

An Act making an appropriation to the Department of Public Instruction, including proceeds of publications sold, for the purpose of revising the curricula of elementary, secondary and vocational schools.

House Bill No. 1150, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art—Textile Institute, Philadelphia.

House Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Instruction to pay expenses in the operation of the Speech and Hearing Rehabilitation Centers.

House Bill No. 1165, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Hall in Philadelphia.

House Bill No. 1166, entitled:

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law.

House Bill No. 1178, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medi-

cal College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

House Bill No. 1189, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commissioners for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries, and providing for reimbursement to the Commonwealth.

House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen, magistrates, and justices of the peace; and imposing liability therefor upon the county in certain cases.

House Bill No. 1217, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

House Bill No. 1234, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "Beauty Culture Law," by further regulating the giving of treatments away from beauty culture shops, and by students in beauty culture schools, and permitting educational demonstrations on Sunday.

House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing that in cities of the first class informations, charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

House Bill No. 1312, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties; and repealing other laws.

House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school district, in certain cases.

House Bill No. 1422, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

House Bill No. 1423, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

House Bill No. 1438, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

House Bill No. 1444, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Government and the Board of Trustees of Shippensburg State Teachers

College, to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County, Pennsylvania; and making an appropriation therefor.

House Bill No. 1468, entitled:

An Act to add section 10.1 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employers Retirement Law," by providing for credit for years of service for certain former employes of the public school system.

House Bill No. 1469, entitled:

An Act to add section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employes Retirement Board and Fund.

House Bill No. 1488, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

House Bill No. 1497, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Act No. 141), entitled "The Mental Health Act of 1951," by changing and adding definitions; further providing for the licensing of private institutions, the functions of various State institutions, the procedure relating to the admission, commitment, transfer, escape, discharge, leave of absence, care, rights and employment of patients, and in certain cases, the costs incident thereto, and relating to the appointment of guardians of the person; removing inoperative and unnecessary provisions; making editorial changes; and adding and changing penalties.

House Bill No. 1518, entitled:

An Act to amend Section 2001 of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by changing the provisions relating to protests by property owners to the exercise of zoning powers.

House Bill No. 1541, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the Incodel Plan, a four-State compact for the distribution among New York, New Jersey, Delaware, and Pennsylvania, of the waters of the Delaware River Basin.

House Bill No. 1567, entitled:

An Act to amend Section 672 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools;



conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

House Bill No. 1654, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

House Bill No. 1679, entitled:

An Act to further amend the last paragraph of subsection (c) of Section 507 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1949," by authorizing departments, boards and commissions to contract for utility services furnished by political subdivisions and authorities.

House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846), entitled, "An act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by increasing the salary of Mine Inspectors.

House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled, "An act to provide for the health and safety of persons employed in and about the coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor," by further increasing the salary of the first aid and mine rescue instructors.

House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by increasing the salary of electrical inspectors.

House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Hazleton State Hospital, to acquire three tracts of land for the use of the Hazleton State Hospital; and making an appropriation therefor.

House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled, "Public School Code of 1949," by providing representation of each component district on the board of directors of union and merged school districts.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

## CALENDAR

### HOUSE BILL No. 1246 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 1246.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1246, on second reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

### HOUSE BILL No. 1378 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 1378.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1378, on second reading, entitled:

An Act providing for the examination licensure and registration of persons firms or corporations engaged in the business or work of plumbing or house and building drainage and prescribing certain rules regulations and requirements for the construction of plumbing house and building drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof and providing for administration of this act by county departments of health or joint-county departments of health in cities of the second class second class A and third class which are within the jurisdiction of such departments of health and repealing certain laws

be recommitted to the Committee on Public Health and Welfare.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

### SENATE CONCURRENT RESOLUTION RECALLED FROM THE GOVERNOR SENATE BILL No. 586

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania December 20, 1951.

Resolved, (If the House of Representatives concur), That Senate Bill No. 586, Printer's No. 290, entitled:

An Act relating to the administration without the appointment of a guardian, of estates valued at one thousand dollars or less, of weak minded persons, drug addicts, and inebriates; and providing a procedure therefor.

be recalled from the Governor.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

### BILL ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. SNOWDEN. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1604, entitled:

An Act prohibiting the use of diesel powered locomotives, pumps, or other machinery or other locomotives, pumps, or machinery powered by internal combustion engines or motors in coal mines.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 323

Mr. WOOD. Mr. President, I submit the report of the Committee on Conference on House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley, and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1142

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1142, entitled:

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1224

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1397

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### REPORT OF COMMITTEE ON HOUSE BILL No. 1421

Mr. WOOD. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### REPORT OF COMMITTEE ON HOUSE BILL No. 1582

Mr. WOOD. Mr. President, I submit the report of the committee of Conference on House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Friday, December 21, 1951, at 10 o'clock, a. m., Eastern Standard Time.

Mr. FREED. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Friday, December 21, 1951, at 10 o'clock, a. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

THURSDAY, December 20, 1951

The House met at 12:00 o'clock noon.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, who makest us glad with the yearly remembrance of the birth of Thine only son Jesus Christ; Grant that as we joyfully receive Him for our Redeemer, so we may with sure confidence behold Him when He shall come to be our Judge, Now livest and reigneth with Thee and the Holy Ghost, one God, world without end. Amen.

The SPEAKER. The Chair wishes to commend and thank our Chaplain, the Rev. Dr. Hugh Fryer, for his very inspiring services to this House throughout the time of this session.

Without objections, the Chair will recognize our Chaplain, Rev. Dr. Hugh Fryer.

Rev. HUGH FRYER. I wish to thank the Speaker for this opportunity. It is at my request. I should like to express to you my appreciation for the privilege and opportunity of serving with you. I have never served with a group of men who have shown me more consideration and kindness, and I want you to know that I have appreciated it.

I should like at this time to wish you from our house to your house a most blessed Christmas and a happy and prosperous New Year.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, December 19, 1951? If not, and without objection, the Journal is approved.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 889, entitled

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employes

And said bill having been read at length the first time, Ordered to be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 162, entitled

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 219, entitled

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of Senate Bill No. 344, entitled

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 350, entitled

An Act to further amend clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 431, entitled

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county board of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United State Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board of Trustees of the Mother's Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by in-

creasing pensions for the blind and changing the provisions relating to eligibility therefor

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 455, entitled

An Act Making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 548, entitled

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 611, entitled

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 824, entitled

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 865, entitled

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication

The first section was read.

On the question,

Will the House agree to the section?

Mr. GOODLING offered the following amendments:

Amend Sec. 1, page 2, line 2, by striking out "Forests and Waters" and inserting in lieu thereof: "Agriculture".

Amend Sec. 1, page 2, line 8, by inserting after the word "purposes" the following: "The survey shall be undertaken by the Department of Agriculture with the cooperation of the Department of Forests and Waters and the Pennsylvania Game Commission. The research study shall be performed by the agricultural experimental stations affiliated with the land grant college of the Commonwealth".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. GOODLING offered the following amendment:

Amend Title, page 1, line 1 of title, by striking out "Forests and Waters" and inserting in lieu thereof: "Agriculture".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 868, entitled:

An Act to amend section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" by clarifying the provisions thereof to include periods when licenses are revoked and periods after violation of laws rules and regulations governing private institutions

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts

The first section was read.

On the question,



Will the House agree to the section?

Mr. BOWER. Mr. Speaker, for the information of the Members this is the reapportionment bill, and the amendments I am about to offer are purely correctional.

The amendments were read as follows:

Amend Sec. 1, page 8, line 6, by inserting after the word "Pittsburgh" the following: "the City of Clairton".

Amend Sec. 1, page 8, line 8, by striking out the word "Greentree" and inserting in lieu thereof: "Green Tree".

Amend Sec. 1, page 8, line 11, by inserting after the word "Elizabeth" the following: "Whitehall".

Amend Sec. 1, page 8, line 15, by striking out "St Clair" and inserting in lieu thereof: "Saint Clair".

Amend Sec. 1, page 9, line 7, by striking out the word "Breckenridge" and inserting in lieu thereof: "Brackenridge".

Amend Sec. 1, page 9, line 10, by striking out "Millville" and inserting in lieu thereof: "Millvale".

Amend Sec. 1, page 9, line 14, by striking out "Frazier" and inserting in lieu thereof: "Frazer".

Amend Sec. 1, page 10, line 4, by striking out "Chalfont" and inserting in lieu thereof: "Chalfant".

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds where the acknowledgement of such deed or deeds was defective in any respect or sale thereof not legally returned if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments and return duly made at a subsequent term

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and the payment of fees and costs in such cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morgantown

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents

Ordered, To be transcribed for third reading.

And said bill having been read at length the second time and agreed to.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 928, Printer's No. 685  
was passed over at the request of The SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L.

1333) entitled "An Act Concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 917, as follows:

An Act to further amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority to sell and convey projects and property to therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell land convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects the purchase of lands for rehabilitation purposes in connection with state institutions and increasing the borrowing capacity of the Authority The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the Welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority land of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" clause (d) of which was amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (Act No. 375) is hereby further amended to read as follows

Section 4 Purposes and Powers General The Authority

is created for the purpose of constructing improving equipping furnishing maintaining acquiring and operating sewers sewer system and sewage treatment works for State institutions of every kind and character (heretofore or hereafter constructed) public buildings for the use of the Commonwealth an official residence in the City of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth State arsenals and military reserve State airports and landing fields State institutions of every kind and character (heretofore or hereafter constructed) additions and improvements to land grant colleges school buildings and the furnishings and equipment thereof for the use of the public schools State highways and bridges toll bridge tunnels and traffic circle on State highways swimming pools and lakes on State land low head dams improvements to river embankments desilting dams impounding basins flood control projects and the purchase of lands for rehabilitation purposes in connection with state institutions (any and all the foregoing being herein called "projects") provided however That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted hereby (other than for the construction improvement and maintenance of bridges) shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purpose including but without limiting the generality of the foregoing the following rights and powers

(a) To have perpetual existence as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold and use any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease as lessee with the approval of the Governor any property real personal or mixed or any interest therein for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania and any city county school district or other political subdivision or any agency department or public body of the Commonwealth or land grant college any project at any time constructed by the Authority whether wholly or partially completed and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority whether wholly or partially completed and with the approval of the Governor to sell transfer and convey to the Commonwealth of Pennsylvania any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority

(e) To acquire by purchase lease or otherwise and to construct improve equip furnish maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employees and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates rentals and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair equipping furnishing maintenance and operation of its facilities and properties the payment of the principal of and interest on



its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority not exceeding [one hundred seventy-five million dollars (\$175,000,000)] two hundred thirty-five million dollars (\$235,000,000) in the aggregate and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

(o) To enter into agreements with the Secretary of Highways of the Commonwealth of Pennsylvania providing for the construction or reconstruction of highways and bridges by the Authority and the acquisition of toll bridges by the Authority under such terms and conditions as may be mutually agreed upon

(p) To acquire by assignment from the Commonwealth contracts which are not completed and which involve constructing improving equipping furnishing maintaining and operating the structures facilities or undertakings similar to those designed herein as projects

Except as otherwise provided by law when projects are to be constructed improved equipped furnished maintained repaired or operated for the use of any department of the Commonwealth as hereinbefore listed in this section no plans or specifications therefor shall be presented for quotations or bids until such plans and specifications shall have been submitted to and approved by the department of the Commonwealth which shall use such project the Department of Property and Supplies the Department of Labor and Industry and any other department of the Commonwealth having any jurisdiction over the projects so that the project will conform to standards established by these departments

Provided further That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its cities counties school districts or other political subdivisions nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its cities counties school districts or political subdivisions nor shall the Commonwealth or any city county school district or political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 2 Twenty-five million dollars (\$25,000,000) of the increase herein authorized shall be used solely for flood control projects

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando.	Goodling.	Markley.	Rovansek.
Andrews.	Graybill.	Maxwell.	Royer.
Banker.	Greenwood.	Mazza.	Rubin.
Barkdoll.	Greer.	McConnell.	Sarraf.
Baumunk.	Guarnieri.	McCormack.	Sax.

Bear.	Gutendorf.	McCullough.	Scanlon.
Beaver.	Guthrie.	McDermitt.	Schmidt.
Beech.	Hagerty.	McGee.	Schuster.
Berkstresser.	Hall.	McLaroy.	Scott.
Blair.	Hamilton, R. K.	McKinney.	Seyler.
Bloom.	Hamilton, W. H.	McMillen.	Shoemaker.
Boles.	Harney.	McNally.	Shotwell.
Bolton.	Haudenshield.	Metz.	Smith.
Bomberger.	Headlee.	Mihm.	Snider.
Bower.	Helm.	Mikula.	Sollenberger.
Breisch.	Hersch.	Miller, H. G.	Spencer.
Breth.	Hewitt.	Miller, J. C.	Stank.
Brown.	Hocker.	Mills.	Stimmel.
Bucchin.	Hoggard.	Mintess.	Stoner.
Byrne.	Hunter.	Monroe.	Swartz.
Cella.	Jenkins.	Moore, C. E.	Swope.
Clapper.	Johnson.	Moore, H. A.	Tahl.
Clendenning.	Jones, G. E.	Moran.	Taylor.
Cochran.	Jones, J. M.	Muldowney.	Thompson, E. F.
Conway.	Jones, P. F.	Munley.	Thompson, R. L.
Cooper.	Jones, T. H. W.	Murray.	Toll.
Corr.	Jump.	Musto.	Tompkins.
Costa.	Kamyk.	Najaka.	Toomey.
Coyle.	Keller.	Naugle.	VanSant.
Dalrymple.	Kent.	Needham.	Varallo.
Davis.	Kline.	Olsen.	Varner.
Dennison.	Kohl.	Penglase.	Verona.
Dougherty.	Kolankiewicz.	Peta.	Wachhaus.
Dowling.	Kornick.	Petrosky.	Wargo.
DuBois.	Kratz.	Pettigrew.	Waterhouse.
Duffy.	Kubacki.	Pfaff.	Watkins.
Dunn.	Lafore.	Pichney.	Weidner.
Erb.	Lederer.	Pitzer.	Welsh.
Ewing.	Leisey.	Polaski.	Wescott.
Fenrich.	Leonard, L.	Polen.	Westrick.
Ferster.	Leonard, W. C.	Price, H. W. Jr.	Whalley.
Fillp.	Leven.	Price, R. A.	Wheeler.
Filo.	Light.	Readinger.	White.
Firnstone.	Limper.	Reagan.	Williams.
Flack.	Loftus.	Reese.	Wilt.
Frost.	Lopresti.	Reidenbach.	Wood.
Gaffney.	Lovett.	Reilly, J. M.	Yeakel.
Geer.	Lutty.	Rigby.	Yetzer.
Gibson.	Lyons.	Riley, R. L.	Young.
Gieason.	Madden.	Robertson.	Ziegler.
Good.	Madigan.	Rose.	Sorg.
		Rosen.	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BIILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1551 as follows:

An Act requiring approval of the interested electorate to initiate housing projects by housing authorities in certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 After the effective date of this act no new housing project shall be initiated in any political subdivision except cities of the first class by any housing authority by whatever name it may be called unless the question of whether or not the instrumentality may initiate such project is first submitted to and approved by the electors of the political subdivision within which the proposed housing project or any part thereof shall be located The governing body of any political subdivision upon resolution duly adopted or electors equal to at least five per centum of the highest vote cast for any candidate in the political subdivision at the last preced-

inb municipal election may petition the county board of elections of the proper county to have a question of whether or not a housing project may be initiated by the instrumentality as hereinbefore provided submitted to the electors of the political subdivision and the county board of elections shall cause a question to be placed on the ballots or on the voting machines and submitted to the electors of the political subdivision at the first general or municipal election occurring at least sixty days thereafter in the manner provided by the election laws of the Commonwealth. If a majority of the persons voting on such question vote "yes" then the project may be initiated and carried out by such instrumentality within the political subdivision. In case of a tie vote or if a majority of the persons voting on the question vote "no" the right to initiate and carry out the project shall be denied and the same question shall not be voted upon again prior to the election occurring approximately two years thereafter.

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—67

Banker,	Geer,	Loftus,	Robertson,
Beech,	Gibson,	Lyons,	Royer,
Bomberger,	Gleason,	Madigan,	Rubin,
Cella,	Graybill,	McCormack,	Shotwell,
Clapper,	Greenwood,	McCullough,	Sollenberger,
Cooper,	Greer,	McInroy,	Stoner,
Corr,	Guthrie,	McMillen,	Thompson, R. L.,
Costa,	Hamilton, W. H.,	McNally,	Toomey,
Davis,	Haudenshield,	Metz,	Wachhaus,
Dennison,	Hewitt,	Mikula,	Waterhouse,
DuBois,	Jones, T. H. W.,	Moore, C. E.,	Weidner,
Dunn,	Keller,	Moore, H. A.,	Whalley,
Erb,	Kent,	Najaka,	White,
Ewing,	Kline,	Pitzer,	Wilt,
Firmstone,	Kohl,	Price, H. W. Jr.,	Young,
Flack,	Leonard, W. C.,	Reilly, J. M.,	Sorg,
Frost,	Light,	Riley, R. L.,	Speaker

#### NAYS—76

Amarando,	Hamilton, R. K.,	Maxwell,	Sarraf,
Andrews,	Harney,	McGee,	Scanlon,
Baumunk,	Hersch,	Mills,	Schmidt,
Beaver,	Hocker,	Monroe,	Schuster,
Berkstresser,	Hoggard,	Moran,	Seyler,
Brown,	Hunter,	Muldowney,	Snider,
Bucchin,	Jones, G. E.,	Musto,	Spencer,
Byrne,	Jones, J. M.,	Needham,	Swartz,
Conway,	Jones, P. F.,	Olsen,	Swope,
Dalrymple,	Kamyk,	Penglase,	Taylor,
Dougherty,	Kornick,	Peta,	Toll,
Dowling,	Kratz,	Pettigrew,	VanSant,
Duffy,	Leonard, L.,	Polaski,	Varnier,
Fenrich,	Leven,	Price, R. A.,	Verona,
Filip,	Limper,	Readinger,	Wargo,
Filo,	Lopresti,	Reidenbach,	Welsh,
Gaffney,	Lutty,	Rose,	Westrick,
Guarnieri,	Markley,	Rosen,	Wheeler,
Hagerty,		Rovansek,	Ziegler,

#### NOT VOTING—62

Barkdoll,	Hall,	McKinney,	Sax,
Bear,	Headlee,	Mihm,	Scott,
Blair,	Helm,	Miller, H. G.,	Shoemaker,
Bloom,	Jenkins,	Miller, J. C.,	Smith,
Boles,	Johnson,	Mintess,	Stank,
Bolton,	Jump,	Munley,	Stimmel,
Bower,	Kubacki,	Murray,	Tahl,
Brelsch,	Lafore,	Naugle,	Thompson, E. F.,
Breth,	Lederer,	Petrosky,	Tompkins,
Clendenning,	Lelsey,	Pfaff,	Varallo,

Cochran,	Lovett,	Pichney,	Watkins,
Coyle,	Madden,	Polen,	Wescott,
Ferster,	Mazza,	Reagan,	Williams,
Good,	McConnell,	Reese,	Wood,
Goodling,	McDermitt,	Rigby,	Yeakel,
Gutendorf,			Yetzer,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1604, as follows:

An Act regulating the use of machinery powered by internal combustion engines or motors in coal mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The use of machinery powered by an internal combustion engine or motor in any coal mine within this Commonwealth is hereby prohibited provided that the secretary of mines may if he is satisfied that it will not be injurious to the health or safety of the employees authorize the use of diesel powered machinery under such reasonable general or special rules and regulating as he may from time to time promulgate

Section 2 Any person who shall violate or cause or permit any of his employees to violate any of the provisions of this act or any general or special rule or regulation promulgated by the secretary of mines under the authority of this act shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and cost of prosecution and in default of the payment thereof sentenced to undergo imprisonment for fifteen (15) days

Each and every day's continuance in the violation of the provisions of this act or any general or special rule or regulation promulgated by the secretary of mines under the authority of this act shall be a separate and distinct offense all fines imposed pursuant to this act shall be paid to the Commonwealth through the department of revenue

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, H. A.,	Swartz,
Cella,	Johnson,	Moore, C. E.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,



Dalrymple, Davis, Dennison, Dougherty, Dowling, DuBois, Duffy, Dunn, Erb, Ewing, Fenrich, Ferster, Filip, Filo, Firmstone, Flack, Frost, Gaffney, Geer, Gibson, Gleason, Good, Goodling,	Kline, Kohl, Kolankiewicz, Kornick, Kratz, Kubacki, Lafore, Lederer, Lelsey, Leonard, L., Leonard, W. C., Leven, Light, Limper, Loftus, Lopresti, Lovett, Lutty, Lyons, Madden, Madigan, Markley,	Olsen, Penglase, Peta, Petrosky, Pettigrew, Pfaff, Pichney, Pitzer, Polaski, Polen, Price, H. W. Jr., Price, R. A., Readinger, Reagan, Reese, Reidenbach, Reilly, J. M., Rigby, Riley, R. L., Robertson, Rose, Rosen,	Varallo, Varner, Verona, Wachhaus, Wargo, Waterhouse, Watkins, Weldner, Welsh, Wescott, Westrick, Whalley, Wheeler, White, Williams, Wilt, Wood, Yeakel, Yetzer, Young, Ziegler, Sorg, Speaker
--	--	--	--

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 61, as follows:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of Sixty-two thousand dollars (\$62,000) or so much thereof as may be necessary is hereby specifically appropriated to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando, Andrews, Banker, Barkdoll, Baumunk, Bear, Beaver, Beech, Berkstresser, Blair, Bloom, Boles, Bolton, Bomberger, Bower, Breisch, Breth, Brown, Bucchin, Byrne, Cella, Clapper, Clendening,	Graybill, Greenwood, Greer, Guarnieri, Gutendorf, Guthrie, Hagerty, Hall, Hamilton, R. K., Hamilton, W. H., Harney, Haudenschild, Headlee, Helm, Hersch, Hewitt, Hocker, Hoggard, Hunter, Jenkins, Johnson, Jones, G. E., Jones, J. M.,	Maxwell, Mazza, McConnell, McCormack, McCullough, McDermitt, McGee, McInroy, McKinney, McMillen, McNally, Metz, Mihm, Mikula, Miller, H. G., Miller, J. C., Mills, Mintess, Monroe, Moore, C. E., Moore, H. A., Moran, Muldowney,	Rovansek, Royer, Rubin, Sarraf, Sax, Scanlon, Schmidt, Schuster, Scott, Seyler, Shoemaker, Shotwell, Smith, Snider, Sollenberger, Spencer, Stank, Stimmel, Stoner, Swartz, Swope, Tahl, Taylor,
--	---	---	---

Cochran, Conway, Cooper, Corr, Costa, Coyle, Dalrymple, Davis, Dennison, Dougherty, Dowling, DuBois, Duffy, Dunn, Erb, Ewing, Fenrich, Ferster, Filip, Filo, Firmstone, Flack, Frost, Gaffney, Geer, Gibson, Gleason, Good, Goodling,	Jones, P. F., Jones, T. H. W., Jump, Kamyk, Keller, Kent, Kline, Kohl, Kolankiewicz, Kornick, Kratz, Kubacki, Lafore, Lederer, Lelsey, Leonard, L., Leonard, W. C., Leven, Light, Limper, Loftus, Lopresti, Lovett, Lutty, Lyons, Madden, Madigan, Markley,	Munley, Murray, Musto, Najaka, Naugle, Needham, Olsen, Penglase, Peta, Petrosky, Pettigrew, Pfaff, Pichney, Pitzer, Polaski, Polen, Price, H. W. Jr., Price, R. A., Readinger, Reagan, Reese, Reidenbach, Reilly, J. M., Rigby, Riley, R. L., Robertson, Rose, Rosen,	Thompson, E. F., Thompson, R. L., Toil, Tompkins, Toomey, VanSant, Varallo, Varner, Verona, Wachhaus, Wargo, Waterhouse, Watkins, Weldner, Welsh, Wescott, Westrick, Whalley, Wheeler, White, Williams, Wilt, Wood, Yeakel, Yetzer, Young, Ziegler, Sorg, Speaker
---	--	--	---

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith

On the question,

Will the House agree to the bill on third reading?

Messrs ANDREWS, KENT and TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 4, page 3, line 7, by inserting after the word "in", where it appears the second time in said line, the following all other

Amend Sec. 4, page 3, lines 7, 8 and 9, by striking out the word "having" in line 7, all of line 8, and the words "than one million inhabitants" in line 9

Amend Sec. 4, page 3, lines 10 to 19, by striking out the words "in ju-" in line 10, and all of lines 11 to 19, inclusive.

Amend Sec. 4, page 4, lines 1 to 4, inclusive, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, I think it well that we

should endeavor to explain the import of the amendments which we are offering.

Senate Bill 187 is a general salary increase for the judiciary. Under the bill which you are considering, the first district Philadelphia, judges would get \$18,500. We are changing that.

The issue which the House confronts is whether rural members want to please the judges in the rural districts on a comparable basis with the "city slicker" judges in the big cities.

All of the rural Members whose districts would be affected by this bill are, as far as I am concerned, privileged to return to their counties and say: "Your Honor, we are sorry but you just do not qualify on a city slicker basis as far as salary is concerned, but when the bench in Allegheny County or when the bench in Philadelphia County, or when the bench in Dauphin County needs a judge, they will send for you. And you will have the privilege of a \$14,000 judge of sitting on the right hand or the left hand of an \$18,500 judge."

Maybe you come from a county which you serve in which the population is 50,000, 60,000, and maybe your judge is sitting on the bench beside an \$18,500 judge. When the Philadelphia situation is averaged out the judges there are only responsible for a little over 50,000 people.

Lancaster—that is a prosperous county—has a \$16,000 judge in the bill and we would not change it. Northampton has three \$16,000 judges and we would not change it.

Here comes little Tioga—it has only about 37,000 people or so—maybe it is 38,000—they have just a little \$13,000 judge. They do not have any Orphans' Court judge like these other fellows have; they do not have any assistants in handling domestic relations cases; and he can have just as much business, spend just as many hours as one of these city slicker judges at \$18,500.

Maybe he is not busy all the time, but do you hire a judge on an assembly line basis? Do they work by the hour? Is a common pleas judge a common pleas judge in every district in this Commonwealth? Does any common pleas judge outside of Dauphin County have any greater jurisdiction in any of the larger counties than they have in the smaller counties?

In Allegheny County they have twenty-six \$18,500 judges and my amendments do not touch them. And because it does not have a full time working bench, because one of its judges has not done anything in the last nine months to amount to anything, every now and then they need one of these \$13,000 or \$14,000 judges.

Erie, that is in the \$16,000 class—three judges; those three judges, \$16,000 judges, only serve on an average about 63,000 people.

Bucks, that is another \$16,000 judge. The judge there only serve about 53,000 people. You are in the \$16,000 class.

Northumberland, \$16,000 class. Their judges serve about 64,000 people.

Cumberland County, poor Cumberland County, they had so much trouble disposing of it in the Reapportionment Bill. They are kicking her around. Nobody wanted poor Cumberland County. Well, maybe no one wanted poor Cumberland County because under the bill you are considering, it would only have a \$14,000 judge and a \$14,000 judge has to take care of 76,000 people.

I am asking you if an \$18,000 judge in Philadelphia

has only a little over 50,000 people to care for and in Cumberland County the judge has 74,000 or 75,000 to care for, why do you keep him down in the \$14,000 class? If the representatives from Cumberland County think their judge, caring for 74,000 people, is not entitled to a \$16,000 salary along with Erie and Bucks and the others, they can go home and say to their judge. "Sorry, Judge, you do not rate—you are a \$14,000 guy."

Westmoreland, of course they have Orphans' Court judges there, and their judges have to look after a little over 60,000 people.

Luzerne, that is another \$16,000 classification and they have to look after about 74,000 people.

Now we are not changing any of that. Mind you, we do not propose to change that. We would bring the Cumberland County fellow up. Dauphin, they have \$16,000 judges and we are not changing that. Along comes poor little Greene; he is a \$13,000 fellow under the bill which I am trying to amend, and a very eminent jurist, of high standing and rated as a desirable substitute in all the populous counties which need a spare judge every once in a while; and so a little \$13,000 Greene County judge is a welcome visitor in the judicial chambers of Allegheny, Philadelphia, Dauphin, and many other counties.

Fayette, \$16,000 class.

Chester, \$16,000 class, and the judge there only has about 52,000 to care for. 52,000 compared with these other counties which are now compared with Cumberland which has 74,000.

Chester 50,000; Somerset, they have a \$14,000 guy and he has 85,000 people to care for. If you want to go back to Somerset County and say "Sorry, you care for 75,000 people, these other judges 50,000, 60,000, but we are going to keep you in the \$14,000 class," you can do so. I would raise him to \$16,000.

Union and Snyder, they care for 42,000 or 43,000 and Union and Snyder are \$13,000 people. If the Members from Union and Snyder want to go back and tell their judges "You are a \$13,000 guy," it is all right with me.

Clarion is another in the \$13,000 class. My amendments would raise them to \$16,000 with the other guy.

York, a \$13,000 jurisdiction, cares for 41,000 people.

Schuylkill, \$16,000.

Wayne, there is an exception to the rule. Wayne only has to look after 30,000; but as I say he has no Orphans' Court judge; he has nobody to help him with domestic relations. He is in the \$13,000 class. My amendments will put him up in the \$16,000 class.

Berks, \$16,000.

Blair gets \$16,000. There is a remarkable case. Blair with one judge—no, I guess they have two now—How about that? I could ask my friend from Cameron—and he cares for 150,000 people. If I had my way I would put that judge in the \$18,500 class. He keeps a clean office and has 150,000 people to look after.

Clinton, Cameron and Elk have a little \$14,000 guy up there. If the Representatives from Clinton, Cameron and Elk want to go back and tell their judge, "You are a \$14,000 guy," it is all right with me. I have only given them a chance to give their judge a break. If they do not want to give him a break, that is up to them.

Columbia and Montour, \$13,000; They care for 66,000 people. I would raise them to \$16,000. I am taking too much time.



The only other counties which the amendments would affect would be Venango, where they have very little to do, and he is not busy all the time. That judge has 63,000 people to look after. He is a \$13,000 guy.

Lycoming is a \$14,000 guy.

Crawford is a \$14,000 guy. He has 71,000 or 72,000 people to look after—one of the ablest judges in the Commonwealth, works more hours than any other judge that I know of. He has 71,000 people to look after, \$14,000 salary. I would put him up to \$16,000.

Armstrong, he is a \$14,000 guy and I think he has about 82,000 people to look after and I would put him up to \$16,000.

Susquehanna is a \$13,000 guy. He only has about 34,000 to look after.

Mercer, there are 101,000 people he has to look after and he is in the \$16,000 bracket.

Beaver is in the \$16,000 bracket.

Warren and Forest, the bill keeps them in the \$13,000 bracket and I would raise them to \$16,000.

Indiana is a \$14,000 fellow, and he has 80,000 people to look after.

Are the lawyers in this House to say that an Indiana judge, who does not have, as I understand, an Orphans' Court judge in the county, has to look after 80,000 people for \$14,000 while the judges from the larger centers get \$18,500 for looking after 55,000 people?

Bradford has a \$13,000 judge. I would raise him. He has to look after 50,000 people.

Monroe has a \$13,000 fellow with 37,000 people to look after. I would raise him to \$16,000.

Wyoming and Sullivan, each \$13,000. That fellow only has 24,000 people to look after. I would raise him just the same, because he is a judge and I would pay him according to the function.

Clearfield pays \$14,000, 92,000 people to work for. Why does he not classify with Bucks and these other counties that are in the \$16,000 class with a far less population per judge? 92,000 for a judge in Clearfield.

In Cambria, we have four judges. They are in the \$16,000 class. I am safe. I can go back. My bill puts them up.

McKean, he is a \$13,000 fellow. I would raise him to \$16,000. Centre the same.

Butler is a \$14,000 fellow and he cares for at least 87,000 people.

Lebanon, he is a \$14,000 fellow and he cares for 73,000 people. I would raise him to \$16,000.

Jefferson is \$13,000 guy with 54,000 people.

Potter—\$13,000.

Carbon—\$13,000.

Bradford—\$13,000.

Mifflin—\$13,000.

The amount of money needed to equalize judicial salaries is inconsequential, it is a small amount.

I want to call the attention of the lawyers in the House to this fact: when we adopted the present Constitution there were no provisions in it fixing salaries. The practice at the time the Constitution was adopted did not base salaries upon population. There were four classes, and the salaries within those four classes were uniform. When the Constitution was adopted presumably the Judiciary and the Legislature at the time endeavored to follow the mandate of the Constitution. So, outside of Philadelphia, Allegheny and Dauphin Counties the judges

at the time the Constitution was adopted all received \$4,000 a year.

I submit to the lawyers of this House that under Section 26, Article 5, of the Constitution the inference would be—and some eminent lawyers tell me the conclusion would be—that the intent of the Constitution was to base judicial salaries upon functions within given classifications that have no reference to population.

In closing, the Members representing \$13,000 and \$14,000 districts as specified in the bill you are considering can, if they want to, put my amendments in the bill and my amendments would give their judges \$16,000 a year and it would not take a penny from anyone else listed in the bill.

I am submitting my case to the rural Members because for once you stand in a position where, if you want to, you can say to the leadership of this House, "We want our judges in the \$16,000 classification with the other fellows." They will have to take you because they cannot pass this bill without you. If you do not want your judges in the \$16,000 classification; do not believe that a judge does as much work in a rural district as a judge does in a metropolitan district and is not entitled to the same salary; if you have an inferiority complex, do not support my amendments. If you feel otherwise, for once in a long legislative history you are in a position to write a judicial salary bill. No occasion like this has ever arisen before. If you do not want to write a judicial salary bill. No occasion like this has ever arisen before. If you do not want to write a judicial salary bill on terms acceptable to the rural delegation, you do not have to do so.

Mr. REAGAN. Mr. Speaker, I would like to interrogate the opposition floor leader.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I am always pleased to sit at the feet of the distinguished gentleman who proposes to interrogate me, and if he stumps me, I will refer his inquiry to the gentleman from Crawford, who I think is an expert and who will answer for me.

Mr. REAGAN. Mr. Speaker, I want to thank the gentleman for his fluent compliments which I accept with a grain of salt.

Mr. ANDREWS. That was not salt, it was pepper.

Mr. REAGAN. I would like to ask whether the gentleman's amendments raise the judicial salaries to a minimum of \$16,000.

Mr. ANDREWS. My amendments raised the judicial salaries in all of the counties outside of Philadelphia, Allegheny and Dauphin to \$16,000.

Mr. REAGAN. Mr. Speaker. These are amendments are they not?

Mr. ANDREWS. Those are amendment's Mr. Speaker, and the amendments apply to those counties where, under the present bill, the judge would receive either \$13,000 or \$14,000, and in every instance in the bill where the judge would get \$13,000, I raise him to \$16,000; where the judge under the bill would get \$14,000, I raise him to \$16,000 in the amendments I have offered.

Mr. REAGAN. If we pass these amendments to this bill, the bill itself remains to be voted upon, does it not?

Mr. ANDREWS. That is right. The bill would then re-occur in its present form with the exception I think of Section 3, which is the only one I am amending.

Mr. REAGAN. According to that bill, if it is passed, all the judges above \$16,000 would also receive a \$2,000 increase right across the board.

Mr. ANDREWS. The judges in Philadelphia, Pittsburgh and Dauphin would get \$18,500. Is not that right, Mr. Kent?

The SPEAKER. The gentleman from Cambria, Mr. Andrews yields to the gentleman from Crawford, Mr. Kent.

Mr. KENT. Mr. Speaker, I think Mr. Andrews is correct. Except for Dauphin County which would get \$20,000, because of the extra jurisdiction those judges have in Commonwealth cases.

In further reply to Mr. Reagan, under the amendments the Common Pleas Judges in the other counties would not receive the \$2,000 in addition to what the amendments provide for.

Mr. REAGAN. Does not that bill raise the judges of the Supreme and Superior Courts and other judges above the \$16,000 class, \$2,000 across the board?

Mr. KENT. The bill as it stands now Mr. Speaker, raises all judges including the appellate courts, Superior and Supreme Courts \$2,000.

Mr. REAGAN. These amendments do not have anything to do with judges who now are receiving the higher amount. If we passed the bill, the judges not included in these amendments would receive \$2,000 additional to what they are now getting.

Mr. ANDREWS. Mr. Speaker, under the bill the members of the Supreme Court get increases. Their salaries, I believe, would be \$25,000. Your judges of the Superior Court get increases. Under the bill their salaries would be \$23,500. The president judge and the associate judges would get \$23,000.

My amendments have nothing to do with the Supreme Court, the Superior Court, or Allegheny, Dauphin or Philadelphia. The only counties that my amendments affect are the counties where under the bill we are considering, the judges would receive less than \$16,000. In every instance of that kind my amendments would raise the salary to \$16,000.

Mr. REAGAN. I understand that, Mr. Speaker. But the question I am asking is aside from these amendments, judges above that classification will all receive a \$2,000 increase across the board.

Mr. ANDREWS. As to the amount of the increase, whether it is a \$2,000 increase—I believe it is, but I would refer that to the legal experts who wrote the other part of the bill. The only part of the bill in which I am interested, is the part that applies to Common Pleas Judges in the rural districts.

Mr. REAGAN. May I call the gentleman's attention to the fact that when he mentioned Union and Snyder Counties, that being my district, the judge only receives \$11,000 instead of \$13,000.

Mr. ANDREWS. That is right at the present time, and the bill would raise him. The bill as reported from Committee would raise him to \$13,000 and I am giving him another hike and I would raise him to \$16,000.

Mr. REAGAN. I admire the gentleman's generosity.

I do not know who wants to answer this question, but can either of the gentlemen, Mr. Andrews or Mr. Kent, inform the House as to what would be the total increase

in order to accomplish these raises? The entire increase in appropriations which would be necessary to raise this amount?

Mr. ANDREWS. I can only answer for the amendments which I propose. The amendments which I propose would raise the cost of the bill we are considering by less than \$65,000 a year. What the total increase the bill as a whole carries, is a matter that I have not calculated. I refer that to the Majority Leader or anybody else familiar with the bill. The cost of the amendments that I am offering is less than \$65,000 a year. That would have to be added to the cost that is increased by the bill.

Mr. REAGAN. The bill as originally instituted was said to have amounted to about \$641,000.

Mr. ANDREWS. Absured. I mean if you mean increase. The total increase carried would be less than \$130,000.

Mr. REAGAN. The gentleman is surely mistaken there. That has already been thrashed out in our caucus.

May I inquire from Mr. Kent, Mr. Speaker?

The SPEAKER. Will the gentleman from Crawford, Mr. Kent, permit himself to be interrogated?

Mr. KENT. I shall, Mr. Speaker.

Mr. REAGAN. Can the gentleman give the House the information as to what the total appropriation would be necessary to fulfill the bill itself and to take care of the amendments which the gentleman on the other side has offered?

Mr. KENT. Mr. Speaker, I can only give what I have been advised by the Appropriations Committee. I understand, and my best information is, the appropriation that would be necessary to cover the increase in the salary as the bill now stands is in the neighborhood or very close to \$650,000. The additional increase to cover Mr. Andrews' amendments to the best of my knowledge is as he has stated it would be.

Mr. REAGAN. Mr. Speaker, I received several letters from judges, and in their calculation they all said we need \$83,000. I do not know whether Mr. Andrews' amendments correspond to those which the judges wanted.

Mr. ANDREWS. There are some 34 or 35 Common Pleas Judges that are committed to the principle that salaries should be equalized on a functional basis. Some of these Judges live in the so-called smaller counties, some of them are in the larger counties. My latest calculation, and I believe it is within a few dollars of being right, for the total cost of the amendments which I am offered over and above the amount in the bill is approximately \$65,000 a year, because we are only affecting 13 or 14 districts.

What the cost of the bill is over and above the present salaries, I have not calculated.

Mr. REAGAN. Does not the gentleman think the House is entitled to know what this is going to cost them?

Mr. ANDREWS. The House is entitled to know and it is a strange situation if they do not know. But having been willing to accept the bill as reported by the Appropriations Committee, other than with the section I am trying to amend, I did not come on the floor prepared to state the total amount of the bill. I am only interested in amending one section.

Mr. REAGAN. I do not know which of the gentlemen wishes to answer this question.



Have they taken into consireration in the total cost of this bill the additional cost of putting these judges on the pension or retirement system?

Mr. KENT. Mr. Speaker, I have just been suplied with some figures from the Appropriation Committee which possibly can clarify the matter for Mr. Reagan.

The increase in dollars so far as the Supreme Court is concerned will amount to \$19,835.

For the Superior Court the same amount.

For the Common Pleas Courts under the bill that is now drafted it will be \$417,925.

Then the amendments which are now before the House will be Mr. Andrews' figures of \$65,000 more. The total will be abut \$520,000.

Mr. REAGAN. Well, Mr. Speaker, did not the gentleman a moment ago say that according to figures submitted to him by the Appropriations Chairman, it would be \$650,000, without any consideration of retirement?

Mr. KENT. Mr. Speaker, that is correct, I did. That was an approximation that was given to me. Since that I have been supplied with the actual figures.

Mr. REAGAN. Mr. Speaker, does the gentleman think that the Appropriation Committee's figures are more nearly correct than any other figures you might pick up along the side lines.

Mr. KENT. I certainly do, Mr. Speaker, and I am glad that they supplied me with the correct figures rather than the approximate figures because it is much less.

Mr. REAGAN. Was the gentleman supplied that by the Chairman of the Appropriations Committee?

Mr. KENT. I was, Mr. Speaker.

Mr. REAGAN. Mr. Speaker, may I ask does that include the retirement?

Mr. KENT. Mr. Speaker, I cannot answer that. I am not discussing retirement now, I am discussing salaries. I do not know what the retirement will cost the state for judges, I have no knowledge on that at all.

Mr. REAGAN. Mr. Speaker, I think the House is interested in knowing what the over-all picture is. If you break it down piecemeal, of course, it does not sound like much, but I am taking the figures which I got from the Chairman of the Appropriations Committee as being about \$650,000. How much more Mr. Andrews' amendments will raise this I do not know, because the judges themselves said it would be \$85,000. I do not know whether it corresponds with his amendments.

But the point is, I think the proponents of this bill ought to be able to tell the House, not little items here and there, but the over-all cost of what they propose to do.

Mr. KENT. Mr. Speaker, it seems to me we are getting very far afield here. We were discussing amendments which Mr. Andrews and I co-sponsored and presented. Now we are getting into the matter of retirement; how much it is going to cost the state. How much it is going to cost each judge in contributions to the retirement fund. We are certainly far afield and I believe that it certainly has no bearing on the question before the House at this time.

Mr. ANDREWS. Mr. Speaker, I am calling the gentleman's attention to the fact that we are not considering the bill. We are only considering the amendments which I offered to the bill.

I am submitting amendments to the Members of the

House, if the gentleman will permit me at this time to make the remark. If the membership of this House can swallow a \$420,000 mountain in connection with judicial salaries, I see no reason why they should strain at a \$65,000 gnat.

Mr. REAGAN. That may be true Mr. Speaker. But the gentleman from the other side of the House seems to be bewildered with the figures that he is giving us.

I want to state this and I believe all the Members of the House have read it. It was publicly stated the the newspapers and some of the officials around the Capitol that the over-all cost of the original bill was over \$800,000. Oh, pardon me, does anyone want to reply to that?

So far as straining at a gnat and swallowing a camel, all we Members are in fear that we have already appropriated considerably more money, in fact millions more, than the taxes are going to bring in. This measure was not even considered in the Governor's budget.

When he said he needed \$119 million to balance the budget, that amount of money or taxation has been greatly reduced and we have legislation before us today which further reduces it. I think just for our own benefit so that we can go home and say that we have not done a foolish thing and appropriated more money than we had, exact figures should be submitted to this House before they vote on the amendments.

Mr. KENT. Mr. Speaker, I do not see how I can be any clearer and submit any more accurate figures than the ones I have submitted. Certainly the figures I have submitted are not anything like \$800,000. There have been provided in the budget already for judges' salary increase, the sum of \$457,000, odd dollars.

The only issue before the House at this time is an increase over that provision already in the budget of approximately \$65,000.

I think Mr. Reagan has gone far afield and is arguing the bill itself; whether the judges are entitled to any increase at all, or whether they are not. Certainly I am only speaking of the amendments now and I think I have provided the House, together with Mr. Andrews, with the most accurate figures that are available.

In conclusion, I do not want to prolong this, I certainly think Mr. Andrews has shown very clearly and very specifically the glaring inequality that exists in judges' salaries throughout the Commonwealth. I would ask that these amendments be voted upon favorably.

Mr. STONER. Mr. Speaker, I want to say that I do appreciate the remarks of the Minority Leader.

I would like to correct his figures on Cumberland County. He quoted us as having 74,000 people. We are a much faster growing county than that, we have 95,000.

Mr. WATERHOUSE. Mr. Speaker, I will be very brief.

First in answer to the statement that my good friend Bob Kent made about Mr. Reagan wandering far afield, I take a little exception to that because I do not believe he did wander. I think what he said pertained directly to the amendments whether or not they were exorbitant; whether the judges were entitled to that amount of money.

In the last figures the gentleman from Crawford gave, he mentioned \$457,000 as the amount appropriated to take care of the salary increases. According to the other figures it was something in excess of 500 I think, was it not?

So there is a discrepancy of 50 to 100 thousand there, is not that right?

The SPEAKER. The gentleman from Erie, Mr. Waterhouse, yields to the gentleman from Crawford, Mr. Kent.

Mr. KENT. Mr. Speaker, if I can clear up the point, the figure of \$522,000 includes Mr. Andrews' amendment; that is the addition of \$65,000 on top of \$457,000.

Mr. WATERHOUSE. I thank the gentleman.

Mr. Speaker, the thing that really, I think, has not been exactly brought to the Members' minds, is there is no question but what there is a variation in the amount of money that is paid. But one particular phase of the picture has not been clearly brought out. That is this: many counties have held no court at all this year and will not hold any.

Venango County I am reliably informed has three cases on their trial list.

Perry and Juniata I am quite sure has not held court this year. That holds true with many of these counties that are paying their Judges \$11,500.

When we start to compare the duties of those judges with the duties of the judges who possibly do not have time to even take a vacation, then I think that is out of line, and I think the amendments for that reason are not reasonable. It certainly is a fact that in the small counties you can live much cheaper, and if you are going to live in Pittsburgh or one of the larger cities, where the population is heavy, the living expenses and the expenses that go with it, are much greater.

So, I just cannot see the idea that the fellow who is working may be thirty to sixty days on trials and what have you, should draw the same amount of money as the fellow who is working eleven or twelve months.

I say this with a little humility and with all due respect to my good friend from Cambria, Mr. Andrews, but if my memory serves me correctly in the recent session, he and my good friend Homer Brown had quite a bit of discussion over this issue. At that time my good friend Hi was quite opposed to a judge's raise but now we are talking about giving a man who is getting \$11,000 a \$5,000 increase I certainly believe that the House should vote down the amendments. I believe the amendments have every possibility of killing the bill and I am not opposed to the bill.

Mr. ANDREWS. Mr. Speaker, I must beg the indulgence of the House by reason of the comment the gentleman has just made.

For years special groups, population groups, represented by their judges have come into this House for salary increases. This population group wanted an increase, that population group wanted an increase. As a result of that pressure, the salary structures for our judiciary has become inequitable.

If we are to reform and bring our judicial system into keeping with the times and the needs, we must do two things. We must first of all equalize judicial salaries and then we must reorganize judicial districts and then make the judges who have the uniform salaries, as nearly comparable to the judicial districts as possible, more largely responsible to the Supreme Court for assignment in any part of the state where they maybe needed when their own calendars are not overcrowded. This readjustment of salaries which we can make at a very small cost is the

beginning of a program. We should readjust our judicial system in keeping with the needs of the people.

Mr. TOMPKINS. Mr. Speaker, I should like to clear up perhaps some misconceptions that might have come from the remarks of the gentleman from Erie regarding the work load of a judge.

To the lay mind I suppose the work load of a judge consists of the number of jury trials he has through the course of a year. Unfortunately a jury trial list may be the smallest part of his load in many cases. Domestic relations problems do not go before a jury. Your exceptions to Orphans' Court accounts and the passing upon them and the necessity many times for rendering opinions do not go before a jury. Rules and motions which find themselves in the court in connection with pleadings do not go before a jury and in many cases require the court to grant opinions.

In my own judicial district recently, due to a gas boom, our court has been very busy with suits to quiet titles which do not go before a jury. There are so many things.

I should say that 75 percent of the work of your judge is not before a jury. The work of your judges is in other matters solely and entirely arguments on point of law by counsel before the court, and the rules and motions which he must entertain; adopting proceedings, and what have you; a great big long list of the things which constitute the duties and responsibilities of a judge which do not find themselves in a jury trial. So let us not judge the work load of the judge based upon the number of jury trials he might have during the course of a year.

Mr. REAGAN. Mr. Speaker, am I entitled to say anything more?

The SPEAKER. The gentleman is recognized.

Mr. REAGAN. Mr. Speaker, I want to thank my good friend, Mr. Waterhouse, for calling my attention to the fact that his eminence on the other side at one time in this judicial debate was on the right side. I can distinctly remember him in a very sarcastic manner talking about the "gypsy" judges, who had nowhere to go in their own town and invaded the cities and assisted the judges who were supposed to be overworked.

I, frankly, after hearing the various figures submitted by Mr. Andrews and Mr. Kent, have no conception of which is right. They have varied quite a bit and I do not believe the House recognizes any of the figures as the correct figures. I think from information which I have \$800,000 to a \$1,000,000 will be required to cover these bills.

Mr. TOMPKINS. Mr. Speaker, in connection with the additional cost provided for in the bill, before we had those amendments and the cost which will be involved afterwards, these figures come from the Appropriations Committee. I do not know where we can get a better authoritative source of the additional cost than from the Appropriations Committee.

I would also like to call your attention to the fact that the provisions of this bill become effective as of January 1, 1952. These figures are based upon a 24 months basis or biennium and the amount which would be required for the balance of this term or biennium is only 17 months. So it is only going to take seventeen-twenty-fourths of the amount that we have quoted to carry it out for the balance of the biennium.

Mr. WATERHOUSE. Mr. Speaker, I suppose the Mem-



bers clearly understand they are voting on the amendments, not on the bill.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Reagan and Mr. Waterhouse and were as follows:

#### YEAS—100

Amarando,	Greer,	Limper,	Rosen,
Andrews,	Guarnieri,	Lopresti,	Rovanssek,
Beaver,	Guthrie,	Lutty,	Royer,
Berkstresser,	Hagerty,	Maxwell,	Sarraf,
Bucchin,	Hall,	Mazza,	Scanlon,
Byrne,	Hamilton, R. K.,	McDermitt,	Schmidt,
Clapper,	Helm,	McGee,	Schuster,
Conway,	Hersch,	McKinney,	Seyler,
Corr,	Hoggard,	McNally,	Snider,
Dalrymple,	Hunter,	Mills,	Sollenberger,
Davis,	Johnson,	Monroe,	Stoner,
Dougherty,	Jones, G. E.,	Moore, H. A.,	Swope,
Dowling,	Jones, J. M.,	Moran,	Taylor,
Duffy,	Jones, P. F.,	Muldowney,	Thompson, R. L.,
Ewing,	Jump,	Musto,	Toll,
Fenrich,	Kamyk,	Needham,	Tompkins,
Filip,	Kent,	Olsen,	Toomey,
Filo,	Kline,	Penglase,	Varner,
Firmstone,	Kohl,	Peta,	Wachhaus,
Frost,	Kolankiewicz,	Pettigrew,	Wargo,
Gaffney,	Kornick,	Pfaff,	Welsh,
Gibson,	Kubacki,	Polaski,	Wheeler,
Goodling,	Lederer,	Price, R. A.,	Yetzer,
Graybill,	Leonard, L.,	Readinger,	Ziegler,
Greenwood,	Leven,	Reidenbach,	Sorg,

Speaker

#### NAYS—62

Banker,	Geer,	McCullough,	Rubin,
Barkdoll,	Gleason,	McMillen,	Sax,
Baumunk,	Hamilton, W. H.,	Metz,	Shotwell,
Bear,	Haudenshield,	Mikula,	Smith,
Beech,	Hewitt,	Miller, H. G.,	Stimmel,
Blair,	Hocker,	Miller, J. C.,	Swartz,
Bolton,	Jones, T. H. W.,	Mintess,	Tahl,
Bomberger,	Keller,	Moore, C. E.,	Thompson, E. F.,
Brown,	Kratz,	Najaka,	VanSant,
Costa,	Light,	Naugle,	Waterhouse,
Dennison,	Loftus,	Price, H. W. Jr.,	Weidner,
DuBois,	Lyons,	Reagan,	Whalley,
Dunn,	Madigan,	Reilly, J. M.,	White,
Erb,	Markley,	Rigby,	Wilt,
Ferster,	McConnell,	Riley, R. L.,	Young,
Flack,	McCormack,		

#### NOT VOTING—43

Bloom,	Gutendorf,	Munley,	Spencer,
Boles,	Harney,	Murray,	Stank,
Bower,	Headlee,	Petrosky,	Varallo,
Brelsch,	Jenkins,	Pichney,	Verona,
Breth,	Lafore,	Pitzer,	Watkins,
Cella,	Leisey,	Polen,	Wescott,
Clendening,	Leonard, W. C.,	Reese,	Westrick,
Cochran,	Lovett,	Robertson,	Williams,
Cooper,	Madden,	Rose,	Wood,
Coyle,	McInroy,	Scott,	Yeakel,
Good,	Mihm,	Shoemaker,	

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BAVARIAN EDUCATORS WELCOMED

The SPEAKER. The Chair takes great pleasure in introducing Dr. Karl Bosl, President of the Association of Bavarian Teachers, and Mr. Wilhelm Ebert, Chairman of the Legislative Committee of the Bavarian Teachers'

Association. They are here as the guests of the Education Committee of the House.

### BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. PITZER.

The House resumed the consideration on third reading of Senate Bill No. 816, as follows:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenue of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Gettysburg Extension Act"

Section 2 In order to facilitate vehicular traffic in the southeastern section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the Act approved the 21st day of May 1937 (P. L. 774) and the supplements and amendments thereto is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable and thence in a generally southerly direction to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg to connect with present traffic facilities or other traffic facilities to be provided by the State of Maryland or other governmental agencies together with connecting roads tunnels and bridges and further to issue turnpike revenue bonds of the Commonwealth notes or other obligations payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of any and all construction

Section 3 The turnpike revenue bonds notes or other obligations issued under the provisions of this act shall not



be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds notes or other obligations shall be payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose All such bonds notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds notes or other obligations The issuance of turnpike revenue bonds notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the power and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals co-partnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as herein provided from a connection with the Pennsylvania Turnpike System west of the Susquehanna River to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg and may be constructed as a whole at one time or in sections from time to time as the commission shall determine and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges the cost of all lands property rights rights-of-way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the Commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds notes or other obligations hereinafter authorized Payment of any notes or other obligations shall be considered payment of the cost of the turnpike provided such notes or other obligations were issued for such purpose

Section 5 The exercise by the Commission of the powers conferred by this act in the construction operation and maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6 The Commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the Commission

(b) The Commission may contract and be contracted with in its own name

(c) The Commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the Commission shall be brought only in the proper courts at the County of Dauphin

(d) The Commission shall have an official seal

(e) The Commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employes as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the Commission through the Department of Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the Commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employes as the Commission may in its discretion employ

(g) The Commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the Commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike

(h) If the Commission shall find it necessary to provide a grade separation or change the site of any portion of any State highway or public road or vacate the same it shall cause it to be reconstructed and restored forthwith at the Commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road or vacate it as the case may be Provided That the method of acquiring the right-of-way and determining damages incurred in changing the location of or vacating such road or State highway shall be ascertained and paid for by the Commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike In such cases the plan of such reconstruction and restoration or vacation shall be submitted to the supervisors of the proper township for approval and in the event of failure of the supervisors to approve the plan then it shall be submitted to the Department of Highways for final approval In the case of State highways the plan shall be submitted to the Department of Highways for its approval

(i) The Commission shall also have authority to petition the court of quarter sessions of the county wherein is situate any public road or part thereof affected by the



location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the proceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions

(j) The Commission shall otherwise have all of the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) and any supplements or amendments thereto

(k) Adequate compensation shall be made by the Commission out of funds provided under the authority of this act for damages to all public or private property taken injured or destroyed in carrying out the powers granted by this act or such property may be restored or repaired and placed in its original condition as nearly as practicable as the Commission may deem it expedient in any particular case

Section 7 (a) Each member of the Commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and sufficient funds shall be provided under the authority of this act to meet any liability or obligation incurred in carrying out the provisions of this act

(c) Before the issuance of any turnpike revenue bonds notes or other obligations under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth provided however that if the turnpike as defined in this act shall be designated by the commission as part of the Pennsylvania Turnpike System as provided in the act approved the fourteenth day of August one thousand nine hundred and fifty-one (Act No 282) the bonds provided for under this section shall no longer be required and if previously delivered may be cancelled

Section 8 (a) The Commission is hereby authorized and empowered to condemn by resolution any lands interests in lands property rights rights-of-way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed and the date of such resolution shall be the effective date of condemnation

(b) The Commission is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands interests in lands property rights rights-of-way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed whether the same had theretofore been condemned or otherwise upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the Commission and the owner thereof and to take title thereto in the name of the Commission

Section 9 (a) Whenever a reasonable sum representing the damages cannot be agreed upon or whenever the owner is legally incapacitated or unable to convey valid title or is absent or unknown either the Commission acting through the Department of Justice or any owner or owners shall apply to the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one

of such counties for the appointment of viewers to determine as hereinafter provided the amount of damages resulting from the taking Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the Commission and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights-of-way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary if any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the lands property rights rights-of-way easements or franchises they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days written notice of the time and place of such meeting together with a copy of said report shall be given to the Commission to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the Commission acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after the final action on the report by the court the Commission acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the Commission shall be taken in the name of the Commission Prior to physical entry upon the land the Commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act



The Commission in its discretion may vacate any portion or all of the land condemned either prior to or after physical entry upon the land or any part thereof and prior to final determination of damages. In such cases the Commission shall be under no obligation to accept and pay for any property condemned and subsequently vacated. Provided however That in any such case the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the Commission and to the owners of the property and may require an undertaking or other security to secure such owners against any and all loss or damages occasioned to the owner from the time of the original condemnation to the time of the modification thereof but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act.

(b) In addition to the foregoing powers the Commission and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending. Provided however That the Commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities.

(c) All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the Commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the Commission including public roads and other real property already devoted to public use.

Section 10 Whenever the Commission has condemned any lands rights rights-of-way easements and franchises or interests therein as hereinbefore provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties the Commission shall have the right to immediate possession of the property covered by the bond and may enter thereon in the name of the Commission. If the owner lessee or occupier of any of said premises or any building or structure thereon shall refuse to remove his personal property therefrom or give up possession thereof the Commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures.

Section 11 (a) The Commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost. The principal and interest of such bonds shall be payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose. The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-

annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the Commission and may be made redeemable before maturity at the option of the Commission at such price or prices and under such terms and conditions as may be fixed by the Commission prior to the issuance of the bonds. Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per centum from the date of such bonds to the date of their redemption. The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor. The principal and interest of such bonds may be made payable in any lawful medium. The Commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth. The bonds shall bear the facsimile signatures of the Governor and of the chairman of the Commission and the facsimile of the official seal of the Commission shall be affixed thereto attested by the secretary and treasurer of the Commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the Commission. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth. The bonds may be issued in coupon or in registered form or both as the Commission may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable. The Commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values. The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the Commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide. If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds. Prior to the preparation of definitive bonds the Commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter. The Commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost. Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act.

Such bonds are hereby made securities in which all



State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

The commission is hereby authorized to borrow money from time to time at an interest rate not exceeding six per centum per annum to provide for preliminary or interim financing up to but not exceeding the estimated total cost of the turnpike and to evidence such borrowing by the issuance of turnpike revenue notes or other revenue obligations of the Commonwealth and in its discretion to pledge as collateral for such notes or other obligations turnpike revenue bonds issued under the provisions of this act and to renew any such notes or other obligations from time to time and the payment or retirement of such notes or other obligations shall be considered to be payment of the cost of such project all such notes or other obligations shall be executed by the same persons in the same manner and with the same effect as provided herein for the execution of revenue bonds All such notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or interest thereon except from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such notes or other obligations The issuance of turnpike notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation therefor or make any appropriation for their payment

All State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business may properly and legally invest any funds including capital belonging to them or within their control in such notes or other obligations or loan any such funds and accept as evidence of the same such notes or other obligations

All such notes or other obligations shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth

Section 12 All moneys received from any bonds notes or other obligations issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds notes or other obligations or the trustee hereinafter provided for in respect of such bonds notes or other obligations

Section 13 In the discretion of the Commission such bonds notes or other obligations may be secured by a trust indenture by and between the Commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part

thereof Either the resolution providing for the issuance of such bonds notes or other obligation or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders or holders of notes or other obligations as may be reasonable and proper and not in violation of law covenants setting forth the duties of the Commission in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys It shall be lawful for any bank or trust company incorporated under the law of this Commonwealth to act as depository of the proceeds of bonds notes or other obligations or revenue and to furnish such indemnity bonds or to pledge such securities as may be required by the Commission Such indenture may set forth the rights and remedies of the bondholders or holders of notes or other obligations and of the trustee and may restrict the individual right of action of bondholders or holders of notes or other obligations as is customary in trust indenture securing bonds debentures of corporations notes or other obligations In addition to the foregoing such trust indenture may contain such other provisions as the Commission may deem reasonable and proper for the security of bondholders or holders of notes or other obligations All expenses incurred in carrying out such trust indenture may be treated as part of the cost of maintenance operation and repair of the turnpike

Section 14 The accomplishment by the Commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the Commission will be performing essential government functions the Commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds notes or other obligations issued by the Commission their transfer and the income therefor including any profits made on the sale thereof at all times be free from taxation within the Commonwealth

Section 15 The Commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right-of-way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds notes or other obligations and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds notes or other obligations or by the trust indenture as the same shall become due Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency The tolls and all other revenue derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for the resolution authorizing the issuance of the bonds notes or other obligations or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds notes or other obligations as such interest shall fall due (2) the principal of the bonds notes or other obligations as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium



upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds notes or other obligations or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds notes or other obligations issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance of bonds notes or other obligations or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds notes or other obligations then outstanding may be applied to the purchase or redemption of bonds notes or other obligations All bonds notes or other obligations so purchased or redeemed shall forthwith be cancelled and shall not again be issued.

Section 16 The Commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding turnpike revenue bonds notes or other obligations issued under the provisions of this act and then outstanding The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the Commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable

Section 17 Any holder of bonds notes or other obligations issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds notes or other obligations or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike

Section 18 When all bonds notes or other obligations and the interest thereon shall have been paid or sufficient amount for the payment of all bonds notes or other obligations and the interest to maturity thereon shall have been set aside in trust for the benefit of the holders of such bonds notes or other obligations and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and thereupon the Commission shall be dissolved and all funds of the Commission not required for the payment of the bonds notes or other obligations and all machinery equipment and other property belonging to the Commission shall be vested in the Department of Highways

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not effect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 21 All acts and parts of acts inconsistent with this act are hereby repealed

Section 22 This act shall become effective immediately upon its final enactment

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOODLING. Mr. Speaker, I regret that I do not have the eloquence which my colleague from York has, but I trust that my arguments will be more convincing today than apparently his were yesterday. I also regret that I must disagree with my good friend, another apple grower, from Adams County.

At the risk of being accused of retarding the wheels of progress I want to take just a few minutes time to explain to the Members of this House why I am opposed to this particular piece of legislation. I think it is time we got our heads out of the clouds and become realists.

From the best information available to me, this bill is definitely a so-called "outside bill." It has not been sponsored by any organizations on the Hill or any organizations connected with the Hill. I admire anyone who has ambition, and I should like to suggest that we apply our energies to projects that can be justified from an economical standpoint.

First of all I would like to say I do not want anyone to get up and tell me that any money used in this project would not come from state funds. I realize that, but in the end it come from the pockets of the taxpayers, and I think we have gotten our hands too deeply into their pockets already.

Here are a few reasons why I do not think this project should be authorized by this group:

In the first place, this proposed new highway should practically parallel a highway now under construction, part of which has been completed and is now open to the general public. The balance is under contract and more will be placed under contract in the very near future. I should like to point out what the highway about which I am now speaking is costing our own Pennsylvania Department of Highways.

This highway that I speak of is a highway planned in conjunction with the Maryland Highway Commission and they have already agreed where these highways will meet when completed.

As I stated, part of it is under construction; other plans are completed and contracts will be let in the very near future. When completed this highway from Harrisburg to the Maryland line will cost the Pennsylvania Department of Highways over \$18,000,000.

As I stated this road will parallel a toll road to be built that is proposed in this bill. I do not know the exact mileage of the new proposal, but I can say this: it is a very, very short mileage to be thinking of building or constructing a toll road.

I am absolutely certain, and I have not checked these figures, but knowing the country as I do, I do not believe the mileage would be over 20. It is my opinion you cannot justify a 20 or a 25 mile toll road.

I have in my hand a newspaper release from which I would like to read a few paragraphs, not a few paragraphs but a few sentences. It is marked

"By-Pass 'Round Baltimore."

Surveys and plans for the first five mile segment



from Falls Road to the Dulany Valley Road are to start immediately.

Russell H. McCain, Commission Chairman, said Gov. McKeldin regards early completion of the road "of the utmost importance."

That will eliminate a lot of the objections that now exist to our present road or our present proposed road if the "By-Pass 'Round Baltimore" were constructed. That would seem to indicate that that is well on the way.

I realize that most of you have heard very little that I have said up to this time, but if you will give me just about one or two minutes more, and listen I would like to read a letter which in my opinion is the thing that should convince you.

I think this letter will prove conclusively to you that we cannot in any manner justify the proposed road in this bill.

The letter is addressed to me and is as follows:

You wrote this office under date of September 27th in regard to Maryland's position pertaining to toll roads.

In 1947 the General Assembly gave the State Roads Commission the authority to construct toll roads as revenue bond projects. Under the bill the traffic over any such roads must be sufficient to amortize the investment and the State's credit is not pledged against bonds issued for that purpose.

Following the granting of this authority by the General Assembly the State Roads Commission employed outside experts to make a study of routes that might be favorable for toll road construction. In the report submitted Route 15 from the Pennsylvania Line down through Frederick was not included since it was found that the traffic over this highway was not sufficient to satisfy the financial houses who would handle the sale of revenue bonds.

Maryland has started the construction of a 4-lane divided limited access highway from Frederick toward Washington and in the long range program for Maryland the construction of a new 4-lane highway from Frederick north to the Pennsylvania line in the vicinity of Emmitsburg should certainly receive careful consideration as the volume of traffic now using this highway, while not sufficient to support a revenue bond toll project, is sufficient to warrant a highway of dual type construction.

The writer hopes that this letter will answer the questions raised in your letter of September the 27th.

Signed Russell H. McCain

Chairman, State Roads Commission of Maryland

I submit to the Members of this House that we would look rather ridiculous if we were to authorize and have a toll road constructed to the Maryland State Line and then have the Maryland Roads Commission build a free road to the Pennsylvania State Line. The reason that I say this, some of which I hope you have heard, I trust that the membership of this House will see fit to oppose this bill.

Mr. PITZER. Mr. Speaker, this bill 816 is a "may bill," and turnpikes are built through a bond issue. We did build a turnpike across Pennsylvania into a cornfield in Ohio which they are meeting and east to the King of Prussia which is being met. We in Pennsylvania are not followers, we are leaders. Therefore, I ask the Members of this House to vote in favor of Senate Bill 816.

Mr. STONER. Mr. Speaker, I would like to call to the attention to the Members of this House that there is nothing in the bill which says that it will run parallel to

the road mentioned by my good friend from York. We must remember that is a "may bill," it may run in York County or it may run in Adams County.

It would be a direct road south. We have the Naval Supply Depot at Mechanicsburg which would make it a direct route to the Eastern Shore, and to our naval bases there. I think this is a good bill and I would like to see the Members of this House vote in favor of it.

Mr. GOODLING. Mr. Speaker, I just want to make one reply to the gentleman from Adams, Mr. Pitzer. I believe he said that our western extension ends in a cornfield in Ohio or somewhere near the Ohio State Line and some place in the east which I did not hear.

I want to remind him and the membership of this House that I believe I am correct in stating that we do have a working agreement with the Roads Commission in Ohio and in New Jersey also, and they are planning to connect with our east-west Super Highway, so-called.

As I read in the letter, we positively do not have a working agreement with the State of Maryland so far as toll roads are concerned. I want to repeat to the membership of this House, whether this is a "may bill" or not, if the Turnpike Commission in Pennsylvania should have permission and see fit to build a toll road to the Maryland State Line, we would look perfectly ridiculous having a toll road up to the Maryland State Line and get off the Pennsylvania road and ride free in Maryland.

Mr. SEYLER. Mr. Speaker, in appearing in favor of this bill I am, of course, appearing in disagreement with my colleague from York, a position in which I regret to be. But I would like to answer some of the statements which the gentleman has made.

In the first place, he seems to find fault with this bill because this has been sponsored by no organizations or pressure group. This is far from seeming to me a detriment to the bill. It should be counted a point in its favor because this has been the result of constructive thinking on the part of the individuals whose constituents in the area affected are interested in this road.

The argument that this would be parallel to a highway now being constructed seems to me a rather ineffective one because on the same line of reasoning, we should have said that we should build no turnpike in the first place running east and west because, as everyone knows, it runs parallel to the Lincoln Highway, and the distances are just about the same.

Then the letter from Maryland which the gentleman offered as exhibit "A" in his argument, seems to me to have some interesting points of view. Maryland has designed apparently, after careful study, that a road should be built, a dual type road, according to the letter, should be built in this area. If that is true you have two ways to build it. You can either build it out of state funds or you can build it on the turnpike plan. If the gentleman believes the material contained in that letter, it seems to me he is in the position of saying if we find we want this road we should eventually build a road which would be paid out of state funds. To my mind the method of building roads employing the turnpike plan has proved very successful. The management of that road has been successful, therefore, I think this bill which as has been said is a "may bill" would not be built until the Turnpike Commission deems it advisable. It is a very good bill and I would ask the Members to support it.

Mr. GOODLING. Mr. Speaker, I assure you that this is the last time I will stand before the microphone on this particular bill. I just want to call the attention of my colleague from York to two remarks he make.

In the first place, I believe he said this was not introduced by any pressure groups. From the best available information I have it was introduced by a pressure group and that is one reason I object to it. It was not thought up by any of the sponsors of this bill and I have the word of one of the sponsors that that is correct.

Another thing, apparently he did not get the full meaning of that letter. The letter written by the Chairman of the Maryland State Roads Commission stated specifically that a survey was made and under the law they cannot justify the construction of a toll road to meet the Pennsylvania-Maryland State Line. I believe he probably did not get that and it stated specifically that and under their Act of 1947, I believe, they are not authorized to build a toll road that cannot amortize itself, and after their survey they found this road would come under that classification.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—112

Amarando,	Guarnieri,	Madigan,	Rosen,
Andrews,	Hagerty,	Markley,	Rovanssek,
Banker,	Hall,	Mazza,	Rubin,
Barkdoll,	Hamilton, R. K.,	McConnell,	Sarra,
Baumunk,	Hamilton, W. H.,	McCormack,	Sax,
Beaver,	Haudenschild,	McDermitt,	Scanlon,
Berkstresser,	Hersch,	McGee,	Schmidt,
Bomberger,	Hewitt,	McInroy,	Schuster,
Bower,	Hocker,	McKinney,	Seyler,
Bucchin,	Hoggard,	Metz,	Smith,
Byrne,	Hunter,	Miller, J. C.,	Spencer,
Cella,	Johnson,	Mintess,	Stimmel,
Clapper,	Jones, G. E.,	Monroe,	Stoner,
Corr,	Jones, J. M.,	Moore, C. E.,	Swartz,
Costa,	Jones, P. F.,	Moran,	Swope,
Dalrymple,	Jones, T. H. W.,	Musto,	Taylor,
Davis,	Kamyk,	Naugle,	Thompson, E. F.,
Dougherty,	Keller,	Needham,	Toomey,
Dowling,	Kline,	Olsen,	VanSant,
DuBois,	Kratz,	Peta,	Verona,
Fenrich,	Kubacki,	Pettigrew,	Wachhaus,
Filip,	Leonard, L.,	Pfaff,	Weidner,
Filo,	Levan,	Pitzer,	Westrick,
Firmstone,	Limper,	Polaski,	Whalley,
Gaffney,	Loftus,	Price, H. W. Jr.,	Yetter,
Gleason,	Lopresti,	Readinger,	Young,
Good,	Lyons,	Reidenbach,	Ziegler,
Greer,	Madden,	Reilly, J. M.,	Sorg,

Speaker

## NAYS—25

Bear,	Frost,	Kohl,	Rigby,
Beech,	Geer,	Light,	Robertson,
Brown,	Gibson,	McCullough,	Thompson, R. L.,
Cooper,	Goodling,	Moore, H. A.,	Varner,
Dunn,	Graybill,	Najaka,	Wargo,
Erb,	Guthrie,	Penglase,	White,
			Wilt,

## NOT VOTING—68

Blair,	Harney,	Mihm,	Shoemaker,
Bloom,	Headlee,	Mikula,	Shotwell,
Boles,	Helm,	Miller, H. G.,	Snider,
Bolton,	Jenkins,	Mills,	Sollenberger,
Breisch,	Jump,	Muldowney,	Stank,
Breth,	Kent,	Munley,	Tahl,
Clendenning,	Kolankiewicz,	Murray,	Toll,
Cochran,	Kornick,	Petrosky,	Tompkins,
Conway,	Lafore,	Pichney,	Varallo,
Coyle,	Lederer,	Polen,	Waterhouse,
Dennison,	Leisey,	Price, R. A.,	Watkins,
Duffy,	Leonard, W. C.,	Reagan,	Welsh,

Ewing,  
Ferster,  
Flack,  
Greenwood,  
Gutendorf,

Lovett,  
Lutty,  
Maxwell,  
McMillen,  
McNally,

Reese,  
Riley, R. L.,  
Rose,  
Royer,  
Scott,

Wescott,  
Wheeler,  
Williams,  
Wood,  
Yeakel.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the House is requested.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 258, as follows:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand five hundred dollars (\$2500) or as much thereof as may be necessary is hereby specifically appropriated from the State Stores Fund during the two fiscal years beginning June first one thousand nine hundred fifty-one to the Board of Finance and Revenue for the payment of approved claims for refund of distillers' licenses for any year following one thousand nine hundred forty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovanssek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,



Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 283, as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred twenty-one thousand nine hundred four dollars and fifty-six cents (\$521,904.56) or as much thereof as may be necessary is hereby specifically appropriated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	
Dalrymple,	Kline,	Olsen,	
Davis,	Kohl,	Penglase,	
Dennison,	Kolankiewicz,	Peta,	
Dougherty,	Kornick,	Petrosky,	
Dowling,	Kratz,	Pettigrew,	

Duffy,	Kubacki,	Pfaff,	Waterhouse,
Dunn,	Lafore,	Pichney,	Watkins,
Erb,	Lederer,	Pitzer,	Weldner,
Ewing,	Lelsey,	Polaski,	Welsh,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Filip,	Leven,	Price, R. A.,	Whalley,
Filo,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,
			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 284, as follows:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-four thousand dollars (\$44,000) or so much thereof as may be necessary is hereby specifically appropriated to the Williamson Free School of Mechanical Trades in Delaware County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Mills,	Spencer,
Breth,	Hocker,	Miller, J. C.,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,

Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 286, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An appropriation is hereby made by the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred thirty (630) wards of the Commonwealth at seven hundred fifty dollars (\$750) per capita per annum and the sum of nine hundred and forty-five thousand dollars (\$945,000) or as much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred fifty-one. Absences or vacations of three weeks or less in any fiscal year shall not be deducted but any absences or vacations in excess of three weeks in any fiscal year shall be deducted

Section 2 The appropriation made by section one of this act is made on the condition that every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth (1) shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school and (2) shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defectives or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelsch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,		Rovansek,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 399 Printer's No. 710 and

Senate Bill No. 400 Printer's No. 711

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 405, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 The Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital is hereby authorized to purchase in the name of the Commonwealth a certain tract of land with the buildings thereon known as the Carl Scott Farm of approximately one hundred thirty acres situated in Glade Township Warren County Pennsylvania and being contiguous to the present property of said hospital so as to make use of such land and buildings for the purpose of farming and other maintenance operations of said hospital

Section 2 Said tract of land and buildings when purchased shall be added to the lands and property of the Warren State Hospital The deed of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The land and buildings thereon shall not be acquired until the title thereto has been approved by the Department of Justice

Section 4 The sum of sixteen thousand dollars (\$16,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land with the buildings thereon and the expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Blair,	Hall,	McInroy,	Schuster,
Beech,	Hamilton, R. K.,	McKinney,	Scott,
Berkstresser,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bombberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Buccchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBois,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Lev n,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Luty,	Riley, R. L.,	
Geer,	Lyons,		

Gibson,  
Gleason,  
Good,  
Goodling,

Madden,  
Madigan,  
Markley,

Robertson,  
Rose,  
Rosen,

Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 465, as follows:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million three hundred thousand dollars (\$1,300,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one to be paid to State aided medical and surgical hospitals and the Philadelphia General Hospital for the purposes of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments from the appropriation herein made shall be made to such hospitals from time to time at the rate of one hundred fifty dollars (\$150) annually for each student nurse being trained in a hospital

Section 2 The provisions of this act shall be administered under regulations established or to be established by the Department of Welfare and the Auditor General

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bombberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, J. C.,	Sollenberger,
Brelsch,	Hewitt,	Miller, H. G.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Buccchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,

Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 546, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeomen (female) and nurses The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred fifty-one for paying gratuities for the children between the ages of sixteen and twenty-one years of totally disabled veterans and of soldiers marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American War or World War service connected disabilities as certified from veteran administration records Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of this act and (2) as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training Payments not to exceed the sum of two hundred dollars (\$200) per school year per child shall be made to such institution upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. E.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, J. C.,	Spencer,
Breth,	Hewitt,	Miller, H. G.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 551, as follows:



An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-three thousand dollars (\$23,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the payment of additional workmen's compensation payable by the Commonwealth in cases of second injuries under the provisions of section three hundred six point one of the Workmen's Compensation Law as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1186)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando.	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnar,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Poleh,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

#### NAYS—0

#### NOT VOTING—0

in the affirmative; the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 552, entitled as follows:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars (\$5000) or as much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the City of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol buildings or grounds for the two fiscal years beginning June first one thousand nine hundred fifty-one Said sum to be distributed among said companies in equal amounts

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, fourteen years ago I was a Member of this House and Mr. Lovett of Westmoreland County at that time used the same remark we have heard him make in this session several times, "Let's be fair." I do not believe there is a more appropriate occasion to use that expression of "Let's be fair" than on this particular bill.

If you recall last night I made a little talk on the volunteer fire company appropriation bill which was submitted to this House by myself and my colleagues from Cambria County. I understand also there has been a bill submitted for an appropriation to the Muncy Volunteer Fire Company for a paltry amount of about \$200 a year.

In speaking to the Chairman of the Appropriations Committee of this House, he told me in respect to my bill, and I presume the same holds true with the respect to the bill introduced by the Muncy institution, it was not the policy of the Commonwealth to make contributions to volunteer fire companies, and it would not be a good thing to continue.

I said, "Mr. Wood, would you agree that these institutions need fire protection?"

"Yes," he agreed they do need the fire protection.

Incidentally the Superintendent of the institutions and I think the head of the Department of Health agrees these institutions do need fire protection.

I said, "well now then if you agree that they need fire protection, why does not the Commonwealth agree to help pay for that protection?"

He said to me that the community of Cresson and these other communities profit by the fact that these institutions are located near or in their community, and therefore they should be willing to support the fire company and maintain the fire fighting apparatus.

I ask you, Members of this House, in all fairness what community in the Commonwealth of Pennsylvania profits more from having Commonwealth property within its boundaries than the City of Harrisburg? In all fairness

The majority required by the Constitution having voted

what community profits from the fact that you 208 members are in this fair city, time after time spending your money?

If it is fair for the Cresson Volunteer Fire Company, if it is fair for the residents of Cresson to bear the burden of fire protection for the sanitorium at Cresson, then it certainly becomes fair that the residents of the fair city of Harrisburg also maintain their volunteer fire departments.

I am only asking here for a vote on a subject which I consider fair and equitable and in view of the position taken by the Appropriations Committee. If that is the position taken by this administration then this bill has no legitimate place on our calendar and should be voted down.

#### PARLIAMENTARY INQUIRY

Mr. LOPRESTI. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LOPRESTI. What majority is necessary for the passage of an appropriation bill in the House of this type?

The SPEAKER. A constitutional majority consisting of 105 members-elect.

Mr. LOPRESTI. In what type of appropriation bills does the two-thirds majority come into effect?

The SPEAKER. The Chair is of the opinion that the gentleman refers to appropriations to charitable and state-aided institutions.

For the information of the gentleman the Chair will read Section 17, Article III of the Constitution:

Appropriations To Charitable and Education Institutions.

No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the state, except by a vote of two-thirds of all the Members elected to each House.

Mr. LOPRESTI. Mr. Speaker, would not a volunteer fire company constitute a charitable institution not within the control of the Commonwealth?

The SPEAKER. The Chair is of the opinion that a volunteer fire company would not be classified as a charitable or an educational institution, such as would come within the purview of Section 17, of Article III of the Constitution.

Mr. ANDREWS. Mr. Speaker, I express regret that this issue has arisen in this form at this time. Would it be possible to suspend consideration of this bill and take a thirty or forty minute recess until this and other matters have been disposed of?

#### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for forty minutes. The Chair hears none, and a recess is declared.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

##### HOUSE BILL No. 163.

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts of the second third and fourth classes to levy additional taxes to pay rentals to municipality authorities authorizing boards of school directors to make additional appropriations or to increase appropriations authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money including proceeds of general obligation bonds to municipality authorities to acquire additional property for authority projects to lease school projects from and pay rentals to municipality authorities to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority

##### HOUSE BILL No. 714.

An Act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges providing for leaves of absence imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws.

##### HOUSE BILL No. 937.

An Act to amend Section 3 of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" by permitting regulating and requiring a license for the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

##### HOUSE BILL No. 959.

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of state liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers distributors and importing distributors.



## HOUSE BILL No. 1047.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and real estate salesmen" further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

## HOUSE BILL No. 1073.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire an unimproved tract of land in Franklin County for the use of the Pennsylvania Soldiers' Orphan School and making an appropriation

## HOUSE BILL No. 1085.

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania Liquor Stores and the granting of malt and brewed beverage distributors licenses subject to local option and providing where tie vote occurs on local option question the status quo obtains.

## HOUSE BILL No. 1166.

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law

## HOUSE BILL No. 1189.

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries and providing for reimbursement to the Commonwealth

## HOUSE BILL No. 1234.

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the giving of treatments away from beauty culture shops and by students in beauty culture schools and permitting educational demonstrations on Sunday.

## HOUSE BILL No. 1264.

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of the first and second class informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

## HOUSE BILL No. 1312.

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws.

## HOUSE BILL No. 1438.

An Act making an appropriation to the Local Government Commission to continue its work.

## HOUSE BILL No. 1444.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Shippensburg State Teachers College to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County Pennsylvania and making an appropriation therefor.

## HOUSE BILL No. 1468.

An Act to add section 10.1 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of the public school system.

## HOUSE BILL No. 1469.

An Act to add section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing



certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

#### HOUSE BILL No. 1518.

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers.

#### HOUSE BILL No. 1679.

An Act to further amend the last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities.

#### HOUSE BILL No. 1706.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Hazleton State Hospital to acquire three tracts of land for the use of the Hazleton State Hospital and making an appropriation therefor.

#### HOUSE BILL No. 1708.

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation on the board of directors of union and merged school districts.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### BILLS ON THIRD READING

Consideration of Senate Bill No. 552 continued.

On the question recurring,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, the question of the vote

needed to pass the bill has been ruled upon by the Chair. I have no desire to appeal from the ruling of the Chair and I am willing to abide by the decision handed down.

In addition to that I want to make this further statement, Mr. Speaker.

Meditation they say is good for the soul. This brief recess we have had has given me a chance to meditate. I bear no personal animosity against the Harrisburg Volunteer Fire Companies. I want that distinctly understood. I merely attacked this bill and will vote against it, not asking other Members to do so, unless they feel in good conscience they must vote against it; —not asking anyone to vote as I do; but merely to protest. I shall vote against it. I merely wanted to prove a point that what is good for goose in this Legislature should also be good for the gander.

Mr. ERB. Mr. Speaker, on March 14, 1951, I introduced a bill as I have in all previous five sessions which I attended here, for a contribution in the sum of \$500 to be divided equally between the Duncansville Volunteer Fire Company and my own Hollidaysburg Fire Company. I have been denied at each and every session any contribution whatsoever.

Four years ago there was a bad fire at the state hospital which our fire companies protect, the State Medical Hospital at Hollidaysburg, the maintenance and the main district highway building in Hollidaysburg and the State Police Barracks at Hollidaysburg. One man was badly burned three years ago. He was off duty for three months. Through the firemen's relief he was healed back to strength and health.

I am like the gentleman from Cambria, if we do not recognize volunteer fire companies in the counties where we are protecting state properties, why should we go along with other volunteer fire companies and give them money? I feel too that the honest, fair thing right now, if we are going to give one, give all. On the other hand not that we are financially embarrassed, no, but to buy boots, clothes, when they get torn to pieces and burned in fires, that would be a nice thing to give and besides it would be deeply appreciated by these volunteer fire companies.

I too am voting against this appropriation unless we all get it.

Mr. ANDREWS. Mr. Speaker, I sincerely hope that the protest against this bill is limited to the gestures made by the gentleman from Cambria and by the gentleman from Blair. Two wrongs don't make a right, and three wrongs don't make a right. If any volunteer fire company in the state should be assisted it is the Harrisburg Fire Company, which has fire traps all over the city that it is called upon to protect. So I hope that all of the Members with the exception of the gentleman from Cambria and the gentleman from Blair will support this measure.

Mr. GLEASON. Mr. Speaker, I want to express my thought on this bill. I am not up here to protest against the Harrisburg Fire Department in any way. I have a volunteer company back home, as probably everybody else does, protecting state property. I feel that if one should get a little contribution they all should. When I put the bill in this year, I was told that it would not come out of Committee because they did not give the appropriation anymore. So that is why I am up here and stating that I will not vote for this bill.



I think it's time, as Mr. Andrews said, when two wrongs don't make a right, but it seems that some people can get bills out of Committee and others cannot, and they are all on the same basis. So it is time we start correcting some of these things. That is why I am going to vote against this bill and I will vote against any bill in the future under the same conditions, where one bill comes out and the other one does not when a Member puts it in.

I would like to see this bill defeated.

Mr. ZIEGLER. Mr. Speaker, I regret that I have to take the time of the House but I feel compelled to make a few brief remarks.

In the first place, in the City of Harrisburg, the Commonwealth of Pennsylvania owns buildings worth many, many millions of dollars.

In the next place as you know, the Commonwealth is self insured for any amount that we may lose, less than \$500,000; or in other words up to \$500,000 the state pays for the loss.

In addition to that on Front Street in Harrisburg, and particularly on Cameron or Eleventh Street in Harrisburg, there are many buildings which the Commonwealth occupies, there are records, lots of vehicles and lots of valuable equipment.

I endeavored to check during the recess to find out how long the appropriation was being received in the City of Harrisburg. To the best of my knowledge it has been for a period of upwards of thirty years.

The sum of \$500,000 or \$2500 annually. In view of the fact that this very valuable property is located here, I think the sum is very, very nominal.

I am in sympathy with the gentleman who requested appropriation for other state-owned institutions so that their fire companies may have some kind of subsidy, but I feel that he is taking the wrong approach when he votes down this bill as a protest.

I, and I think everyone else would be willing to lend some assistance to see that he gets some appropriation commensurate with the amount of property which is held in the area that he represents.

I ask all of the people here to vote for this bill. Because it has been said that two rights will not make a wrong and I call your attention to the very disastrous fire here of 1898 and during the late '30's. The Education Building, right across the way when it was nearing completion was gutted by fire with a loss of more than a million dollars. I do not think we are looking at this very wisely, if purely out of retaliation or protest, we vote down this appropriation bill.

I ask all you Members to vote for the bill.

Mr. HEWITT. Mr. Speaker, a number of times I put bills in for the State Teachers College in Indiana and the Torrance Institution. However, I have not put any bills in for those two institutions lately, and I am going to vote for this bill because I sleep at the Penn Harris and if the fire company heard that I voted against this bill they might not come and put the fire out if there should be one.

Mr. BANKER. Mr. Speaker, I too had a bill in at the request of my own fire company at home, but I think this is a different situation. I am quite sure that our boys would not object to our going along with the Harrisburg Fire Department. I think we should vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Amarando,	Graybill,	Maxwell,	Rosen,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Harney,	McMillen,	Seyler,
Bloom,	Haudenshield,	McNally,	Shoemaker,
Boles,	Headlee,	Metz,	Smith,
Bolton,	Helm,	Mihm,	Snider,
Bomberger,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelschi,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Swope,
Cella,	Jones, G. E.,	Moran,	Tahl,
Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendenning,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varner,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrosky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Ewing,	Leisey,	Polaski,	Welsh,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillo,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lovett,	Reidenbach,	Yeakel,
Gaffney,	Lutty,	Reilly, J. M.,	Yetzer,
Geer,	Lyons,	Rigby,	Young,
Gibson,	Madden,	Riley, R. L.,	Ziegler,
Good,	Madigan,	Robertson,	Sorg,
Goodling,	Markley,	Rose,	Speaker

## NAYS—10

DuBois,	Hamilton, W. H.,	Rovansek,	Westrick,
Erb,	Lopresti,	Shotwell,	White,
Gleason,	Mikula,		

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. SCANLON asked and obtained unanimous consent to call up out of order Senate Bill No. 897 on page 18 of today's Calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 897, as follows:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers



and employes in the City of Philadelphia by amendments or supplement to the Philadelphia Home Rule Charter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 (a) The primary purpose of this act is as far as practicable to provide for the integration with the provisions of the Philadelphia Home Rule Charter adopted on the seventeenth day of April one thousand nine hundred fifty-one of the work of certain of the former County officers who were abolished as such by the adoption on the sixth day of November one thousand nine hundred fifty-one of Article XIV section eight of the Constitution of Pennsylvania

(b) As used in this act Mayor and City Solicitor mean the specified officers created by the aforesaid Philadelphia Home Rule Charter

Section 2 (a) Within thirty days after the first Monday of January one thousand nine hundred fifty-two the Governor and the Mayor of Philadelphia shall appoint a bipartisan commission for the purpose of framing a supplement or certain amendments to the Philadelphia Home Rule Charter as hereinafter provided five members to be appointed by the Governor and five by the Mayor Each member shall be a registered elector of the City Any vacancy in the membership of the commission caused by death resignation removal from the city or otherwise shall be filled by the officer who appointed the member whose position is vacant by appointing as a member of the commission a registered elector of the city

(b) The amendments or supplement to be framed by said commission shall be only such as may be necessary to transfer merge or distribute functions and duties heretofore performed by all former county officers in accordance with the purposes and intent of article fourteen Section Eight of the Constitution of Pennsylvania and shall provide for the manner of selection whether appointed or elected and if appointed by whom and for the terms if any of officers designated for the performance of such functions and duties and whether any of such former county officers of Philadelphia, or their offices shall be continued or abolished Provided however that this shall not apply to the Board of Revision of Taxes and the Registration Commission of Philadelphia

(c) The commission created under the provisions of this section shall organize hold meetings and carry out its functions in the same manner as the Philadelphia Charter Commission appointed under the provisions of the first class City Home Rule Act

(d) The amendments or the supplement when prepared by the commission shall be submitted to the City Council which shall cause said proposals together with the form of the proper question or questions to be printed for distribution and shall provide for the submission of such proposed amendments or supplement to the qualified electors of the city for their approval or disapproval at a special election on a day fixed and designated by ordinance in the same manner as provided for in sections nine and ten of the first class City Home Rule Act

(e) Any of said amendments or any such supplement to the charter which are approved by a majority of the qualified electors voting thereon shall become the organic law of the city at such time as may be fixed therein

(f) All officers including those elected at the one thousand nine hundred fifty-one municipal election and replacing former county officers shall continue to perform their duties and be elected appointed compensated and organized in such manner as may be provided by the provisions of the Constitution and the laws of the Commonwealth until the provisions of the Supplement or amendments to the Philadelphia Home Rule Charter authorized hereby become effective

(g) No amendments or changes shall be framed by the commission or submitted to the vote of the electors under the provisions of this section which shall be in conflict or inconsistent with other provisions of this act

Section 3 Former County employes who are transferred to any City department or other agency shall retain all

rights to retirement with pension which shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if the transfer had not been made

Section 4 (a) All petitions hearings and other proceedings pending before any former County officer board or commission and all prosecution legal or other proceedings and investigations begun by any such officer board or commission and all prosecutions legal or other proceedings of any amendments or supplements to the Philadelphia Home Rule Charter adopted pursuant to this act shall continue and remain in full force and effect notwithstanding the adoption of such amendments or supplements and may be completed before or by the officer department board or commission which succeeds to the rights powers duties and obligations of such officer board or commission All questions arising under this section shall be determined by the City Solicitor

(b) All orders rules and regulations made by any former County officer board or commission shall remain in full force and effect until revoked or modified by the officer department board or commission succeeding to the rights powers duties and obligations of such former officer board or commission

(c) All existing contracts and obligations of the former County officers boards and commissions shall remain in full force and effect and shall be performed by the officers departments boards and commissions to which the rights powers duties and obligations of such former officers boards or commissions are transferred

(d) Whenever reports or notices were formerly required or given or papers or documents furnished or served by any person to or upon any former County officer board or commission or deputy assistant agent or other subordinate or employe thereof the same shall be made given furnished or served in the same manner to or upon the office department board or commission upon which are now conferred or imposed by any amendments or supplements to the Philadelphia Home Rule Charter adopted pursuant to this act the rights powers and duties formerly exercised or discharged by such officer board commission or deputy assistant agent or other subordinate or employe thereof and every penalty for failure to do so shall continue in effect

Section 5 All of the provisions of the Philadelphia Home Rule Charter not inconsistent with this act shall be applicable and in full force and effect

Section 6 The Members of the Registration Commission and the Board of Revision of Taxes shall continue to be appointed and compensated as provided by law and they shall receive such compensation as they now receive the Registration Commission and the Board of Revision of Taxes shall continue to appoint such assistants and employes as provided by law

Section 7 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding invalid any part or parts hereof the remaining provisions of this act shall be given full force and effect as if the part or parts held invalid had not been included herein

Section 8 This act shall become effective immediately upon its final enactment except that all former County officers now in office shall be permitted to complete their terms and that any provisions hereof which cannot become effective until the Philadelphia Home Rule Charter becomes effective shall take effect on the first Monday of January one thousand nine hundred fifty-two The County officers elected at the 1951 municipal election shall assume office as officers of the City pursuant to the provisions of this act

Section 9 All acts and parts of act general local and special inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,



Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Mazza,	Rovansek.
Andrews,	Greenwood,	McConnell,	Royer,
Banker,	Greer,	Maxwell,	Rubin.
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Botes,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	White,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 554, as follows:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred ninety-five thousand dollars (\$495,000) or as much thereof as may be necessary is hereby specifically appropriated to The Glen Mills School situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Greenwood,	Maxwell,	Rovansek.
Andrews,	Greer,	Mazza,	Royer,
Banker,	Guarnieri,	McConnell,	Rubin.
Barkdoll,	Gutendorf,	McCormack,	Sarra,
Baumunk,	Guthrie,	McCullough,	Sax,
Bear,	Hagerty,	McDermitt,	Scanlon,
Beaver,	Goodling,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Botes,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	White,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Graybill,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 557, as follows:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred fifty thousand

dollars (950,000) or as much as thereof as may be necessary is hereby specifically appropriated to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947" for the two fiscal years beginning June first one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 560, as follows:

An Act making an appropriation for the maintenance repair and improvement of the port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred seventy-five thousand (\$175,000) or as much as may be necessary is hereby specifically appropriated to the Department of Wharves Docks and Ferries of the City of Philadelphia for the maintenance repair and improvement of the Port of Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one

The moneys so appropriated shall only be expended as authorized and directed by the Council of the City of Philadelphia and shall be drawn from the State Treasury upon warrants drawn by the Auditor General upon requisition by the Director of the Department of Wharves Docks and Ferries of said city

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Westrick,
Ferster,	Leven,	Price, H. W. Jr.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 561, as follows:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy thousand six hundred ten dollars (\$70,610) or asmuch thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the purpose of administering the provisions of the "Pennsylvania Hospital Survey and Construction Act of 1947" for the two fiscal years beginning June first one thousand nine hundred fifty-one and in addition to said amount all moneys received from the Federal Government and from other sources for such purposes shall be credited to the appropriation made by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchln,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kiline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,

Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 570, as follows

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million one hundred ten thousand dollars (\$1,110,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred fifty-one by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nnie hundred thirty-seven (P. L. 2714) or "The Pennsylvania Occupational Disease Act" approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one hundred nine hundred fifty-one.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greer,	Mazza,	Royer,
Banker,	Greenwood,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchln,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,

Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 571, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirteen million one hundred ninety-four thousand dollars (\$13,194,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the two fiscal years beginning June first one thousand nine hundred fifty-one for the payment by the Commonwealth of annual rates rentals and other charges for the use and occupancy of or the right to use or occupy the projects structures buildings equipment and facilities leased by The General State Authority to the Commonwealth or for services rendered by the Authority or its projects Payment of such annual rates rentals and other charges shall be made in equal monthly quarterly or annual installments or otherwise as required by the respective leases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,

Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hall,	McGee,	Schmidt,
Beech,	Hagerty,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Varallo,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the Same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 2, by striking out the words and figures "nine hundred thousand dollars



(\$900,000)" and inserting in lieu thereof: "one million two hundred thousand dollars (\$1,200,000)".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 577, as follows:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of (\$650,000) or as much thereof as may be necessary is hereby appropriated to the State Public School Building Authority for the payment of costs and expenses incurred in the work of the Authority under the "State Public School Building Authority Act" approved July 5 1947 (P. L. 1217)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,
Andrews,	Greenwood,	Mazza,
Banker,	Greer,	McConnell,
Barkdoll,	Guarnieri,	McCormack,
Baumunk,	Gutendorf,	McCullough,
Bear,	Guthrie,	McDermitt,
Beaver,	Hagerty,	McGee,
Beech,	Hall,	McInroy,
Berkstresser,	Hamilton, R. K.,	McKinney,
Blair,	Hamilton, W. H.,	McMillen,
Bloom,	Harney,	McNally,
Boles,	Haudenschild,	Metz,
Bolton,	Headlee,	Mihm,
Bomberger,	Helm,	Mikula,
Bower,	Hersch,	Miller, H. G.,
Breisch,	Hewitt,	Miller, J. C.,
Breth,	Hocker,	Mills,
Brown,	Hoggard,	Mintess,
Bucchin,	Hunter,	Monroe,
Byrne,	Jenkins,	Moore, C. E.,
Cella,	Johnson,	Moore, H. A.,
Clapper,	Jones, G. E.,	Moran,
Clendenen,	Jones, J. M.,	Muldowney,
Cochran,	Jones, P. F.,	Munley,
Conway,	Jones, T. H. W.,	Murray,
Cooper,	Jump,	Musto,
Corr,	Kamyk,	Najaka,
Costa,	Keller,	Naugle,
Coyle,	Kent,	Needham,
Dalrymple,	Kline,	Olsen,
Davis,	Kohl,	Penglase,
Dennison,	Kolankiewicz,	Peta,
Dougherty,	Kornick,	Petrosky,
Dowling,	Kratz,	Pettigrew,
DuBois,	Kubacki,	Pfaff,
Duffy,	Lafore,	Pichney,
Dunn,	Lederer,	Pitzer,
Erb,	Lelsey,	Polaski,
Ewing,	Leonard, L.,	Polen,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,

Ferster,  
Fillip,  
Fillo,  
Flrmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 579, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred dollars (\$600) or as much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred fifty-one to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for the purpose of improving and replacing bridges and their abutments on such roads and highways Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenen,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Murray,	Thompson, E. F.,
Conway,	Jones, P. F.,	Muldowney,	Thompson, R. L.,

Cooper,	Jones, T. H. W.,	Munley,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Letsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Ligh,	Readinger,	White,
Flack,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Rally, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 652, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after Section 11 a new section to read as follows

Section 11.1 Any contributor who has had service in states territories or areas under the jurisdiction of the United States besides this Commonwealth as an employee in any public school or institution for a period of at least

one year and who (i) submits proof satisfactory to the retirement board of all or part of such service (ii) files an affidavit in the form prescribed by the retirement board stating that he or she is not entitled to a deferred retirement allowance for such service and in the case of contributors becoming members after the effective date of this amending act that he or she has not forfeited any vested right to a deferred retirement allowance for such service and (iii) pays or agrees to pay as hereinafter provided into the School Employees Retirement Fund an amount equal to the contributions which would have been collected from such contributor for the period of such service had such service been rendered in this Commonwealth at his or her earnable salary for the school year in which application for credit for out-of-state service is made figured at the contributors current percentage of salary deduction together with an additional amount as the equivalent of the contributions of the school district and the Commonwealth on account of such service shall be credited with such years of service for retirement purposes Such credit shall not exceed ten years nor the number of years between the age of the contributor at the time he or she becomes a member and the age at retirement nor the number of years of credited service in this Commonwealth

Application in writing for such credit must be made to the retirement board within three years after the applicant becomes a member of the retirement system or in the case of applicants who are members on the effective date of this amending act within three years from that date

The contributions required to be paid for such service credit may be paid in a lump sum or by installments or by an increased rate of contributions agreed upon by the contributor and the retirement board Installment payments must begin within the period of three years from the effective date of this act or before the contributor has completed three years of service in this Commonwealth All such contributions shall be credited in equal amounts to the members annuity savings account and the contingent reserve account if a new entrant or the State annuity reserve account number two if a present employee In the event that a contributor withdraws from the retirement system or retires on super annuation or disability retirement before such contributions are fully paid the employees' annuity and his state annuity shall be credited with the number of years of out of state service or fractional parts thereof for which he has purchased credit to the date of application for retirement Any contributor who has purchased an annuity under the provisions of subsection six point one of section eight of this act may forfeit such annuity and direct that the money paid into the School Employees Retirement Fund therefor be applied to the contributions required by this section

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarneri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,



Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 667, as follows:

An Act to amend subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" by increasing the compensation of the members of board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" is hereby amended to read as follows

## Section 2 Appointment of Board Compensation

\* \* \* \* \*

(c) The chairman of the board shall receive an annual salary of [ten thousand five hundred dollars (\$10,500)] twelve thousand dollars (\$12,000) and each other member thereof shall receive an annual salary of [ten thousand] [dollars (\$10,000)] eleven thousand dollars (\$11,000)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rovansek,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hegerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Botes,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 685, as follows:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (Appropriation Acts page 49) entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto" by extending the purpose of the appropriation to cover all flood damage

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-third day of May one thousand nine hundred forty-nine (Appropriation Acts page 49) entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto" is hereby amended to read as follows

Section 1 The sum of three hundred thousand dollars (\$300,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for expenditure by said department in McKean Potter and Tioga counties for the purpose of flood control and stream channel work make necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and of April one thousand nine hundred forty-eight and to carry into effect the provisions of existing laws relating thereto

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	McConnell,
Andrews,	Greenwood,	Maxwell,
Banker,	Greer,	Mazza,
Barkdoll,	Guarnieri,	McCormack,
Baumunk,	Gutendorf,	McCullough,
Bear,	Guthrie,	McDermitt,
Beaver,	Hagerty,	McGee,
Beech,	Hall,	McInroy,
Berkstresser,	Hamilton, R. K.,	McKinney,
Blair,	Hamilton, W. H.,	McMillen,
Bloom,	Harney,	McNally,
Boles,	Haudenshield,	Metz,
Bolton,	Headlee,	Mihm,
Bomberger,	Helm,	Mikula,
Bower,	Hersch,	Miller, H. G.,
Breisch,	Hewitt,	Miller, J. C.,
Breth,	Hocker,	Mills,
Brown,	Hoggard,	Mintess,
Bucchin,	Hunter,	Monroe,
Byrne,	Jenkins,	Moore, C. E.,
Cella,	Johnson,	Moore, H. A.,
Clapper,	Jones, G. E.,	Moran,
Clendenning,	Jones, J. M.,	Muldowney,
Cochran,	Jones, P. F.,	Munley,
Conway,	Jones, T. H. W.,	Murray,
Cooper,	Jump,	Musto,
Corr,	Kamyk,	Najaka,
Costa,	Keller,	Naugle,
Coyle,	Kent,	Needham,
Dalrymple,	Kline,	Olsen,
Davis,	Kohl,	Penglase,
Dennison,	Kolankiewicz,	Peta,
Dougherty,	Kornick,	Petrosky,
Dowling,	Kratz,	Pettigrew,
DuBois,	Kubacki,	Pfaff,

Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Westrick,
Fenster,	Leven,	Price, H. W. Jr.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Relly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markiey,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 731, as follows:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain moral claims providing for the hearing adjustment and payment of moral claims to members of the Workmen's Compensation Board and referees suffered as a result of delay in confirmation of appointments made by Governor to such offices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight thousand seven hundred twenty dollars (\$8,720) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Labor and Industry of the Commonwealth of Pennsylvania for the payment of moral claims against the Commonwealth and that Department arising out of the loss of salaries suffered by certain members of the Workmen's Compensation Board and referees as a result of delay in the confirmation of appointments made by the Governor to such offices during the present session

Section 2 All persons heretofore or hereafter suffering such losses as provided in section one of this act may present a claim for compensation to the Board of Finance and Revenue for the purpose of hearing and adjusting such claims The Secretary of Labor and Industry shall become a member of said board with full power of a member of said board with full power of a member in any such claim

Section 3 The Board of Finance and Revenue shall hear and determine such claims and if the board determines that a moral claim exists against the Commonwealth and the Department of Labor and Industry in such cases and that such claim or claims are not adjustable or recoverable against the Commonwealth under existing law it shall make a finding to that effect and shall fix the sum which in its opinion will compensate the claimant for the loss suffered

Any amount so fixed by the Board of Finance and Revenue shall be payable from the appropriation hereinbefore made by requisition of the Secretary of Labor and Industry in the manner provided by law and to each such requisition shall be attached the findings of the board

Section 4 The action of the Board of Finance and Revenue in allowing or disapproving a claim in full or in part shall be final and there shall be no appeal therefrom but the board in its discretion may grant rehearing on any claim and make new findings as hereinbefore provided



Section 5 The provisions of this act shall become effective on the first day of June one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boies,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dairymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Feurich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Fillip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			

Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 732, as follows:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of

moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four thousand (\$4000) dollars is hereby specifically appropriated to the Department of Military Affairs for the purpose of compensating any person for property damages and miscellaneous expenses where any property was damaged in accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard and where no insurance was carried by the Commonwealth on such airplanes and where such persons are otherwise barred by law from recovery against the Commonwealth

Section 2 Any such person who is in charge control custody or owner of such property that has been damaged as a result of accidents as provided in Section one of this act may present a claim for compensation to the Board of Finance and Revenue and for the purpose of hearing and adjusting such claims The Adjutant General of the Commonwealth shall become a member of said board with full powers of a member thereof

Section 3 The Board of Finance and Revenue shall hear and determine all such claims and if in any case the board determines that such property damage was caused as a result of an accident occurring through negligence of the operator of the airplane of the Pennsylvania National Guard that no insurance was carried on such airplane by the Commonwealth that a moral claim exists against the Commonwealth for such damages and that such claim or claims are not adjustable or recoverable under existing law against the Commonwealth it shall make a finding to that effect and shall fix the sum which in its opinion will compensate any such person for such property loss and shall certify such findings to the Adjutant General

An amount so fixed by the Board of Finance and Revenue shall be payable from the appropriation hereinbefore made by requisition of the Adjutant General in the manner provided by law and to each such requisition shall be attached the findings of the Board of Finance and Revenue

Section 4 The action of the Board of Finance and Revenue in allowing or disapproving a claim shall be final and there shall be no appeal therefrom but the board in its discretion may grant rehearings on any claim and make new findings in accordance with this act

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boies,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,

Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenen,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 754, as follows:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry disease of economic concern to the poultry and livestock raisers of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-seven thousand five hundred dollars (\$137,500) or as much thereof as may be necessary is hereby specifically appropriated to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory in its School of Agriculture for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth thirty-seven thousand five hundred dollars (\$37,500) of the moneys appropriated hereby shall be available and expended only to the extent that a sum equal to the amount to be expended by the Commonwealth is contributed to the Trustees of Pennsylvania State College by members of the poultry industry affidavits evidencing such contributions shall be submitted by the college to the Auditor General

Section 2 The moneys appropriated by this act are to be used for the following purposes

(1) To erect new structures or to alter existing structures at Pennsylvania State College in order to provide laboratory space and research facilities adequate for an exploratory program of research in animal and poultry diseases

(2) To purchase requisite laboratory equipment for the proper conduct of such research

(3) To employ the scientific personnel required for such research

(4) To defray such other expenses as are incident to

the establishment and proper operation of such research in animal and poultry diseases

Section 3 The functions of the staff and personnel of the laboratory created by this act shall be as follows

(1) To serve as research consultants to the regional animal and poultry disease diagnostic laboratories maintained in several parts of the Commonwealth by the State Department of Agriculture

(2) To study animals and poultry having obscure symptoms of disease in order to define the ailment and to prescribe treatment therefore

(3) To aid the State Department of Agriculture in the control of epidemic outbreaks of animals and poultry disease within the Commonwealth

(4) To assist in the development and conduct of an educational program designed to help livestock and poultry raisers reduce to a minimum the incidence of disease among their flocks and herds

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rovansek,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Browa,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Scott,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenen,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lyons,	Rigby,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 778, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire certain tracts of land for the use of the Harrisburg State Hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania additional lands adjacent or contiguous to the Harrisburg State Hospital in the City of Harrisburg Dauphin County Pennsylvania for the use of said hospital

Section 2 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The sum of Twenty-One Thousand Dollars (\$21,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract or tracts of land and the expenses incidental thereto including title search

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,
Andrews,	Greenwood,	Mazza,
Banker,	Greer,	McConnell,
Barkdoll,	Guarnieri,	McCormack,
Baumunk,	Gutendorf,	McCullough,
Bear,	Guthrie,	McDermitt,
Beaver,	Hagerty,	McGee,
Beech,	Hall,	McInroy,
Berkstresser,	Hamilton, R. K.,	McKinney,
Blair,	Hamilton, W. H.,	McMillen,
Bloom,	Harney,	McNally,
Boles,	Haudenschild,	Metz,
Bolton,	Headlee,	Mihm,
Bomberger,	Helm,	Mikula,
Bower,	Hersch,	Miller, H. G.,
Brelsch,	Hewitt,	Miller, J. C.,
Breth,	Hocker,	Mills,
Brown,	Hoggard,	Mintess,
Bucchin,	Hunter,	Monroe,
Byrne,	Jenkins,	Moore, C. E.,
Cella,	Johnson,	Moore, H. A.,
Clapper,	Jones, G. E.,	Moran,
Clendening,	Jones, J. M.,	Muldowney,
Cochran,	Jones, P. F.,	Munley,
Conway,	Jones, T. H. W.,	Murray,
Cooper,	Jump,	Musto,
Corr,	Kamyk,	Najaka,
Costa,	Keller,	Naugle,
Coyle,	Kent,	Needham,
Dalrymple,	Kline,	Olsen,
Davis,	Kohl,	Penglase,
Dennison,	Kolankiewicz,	Peta,
Dougherty,	Kornick,	Petrosky,

Dowling,  
Duffy,  
DuBois,  
Dunn,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Fllo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Kratz,  
Kubacki,  
Lafore,  
Lederer,  
Lelsey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Pettigrew,  
Pfaff,  
Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Welsh,  
Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 798, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by defining employees of county departments of health created under the local health administration law as state employees extending the time within which State mental hospital employees may become members and within which State employees may become "original members" and permitting additional persons to change from the one one-hundred sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (6) of Section 1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the acts approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 448) the eleventh day of May one thousand nine hundred forty-nine (P. L. 1077) the twentieth day of May one thousand nine hundred forty-nine (P. L. 1476 and 1541) and the twenty-seventh day of May one



thousand nine hundred forty-nine (P. L. 1890) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

\* \* \* \* \*

6 "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania and also all present future or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the Legislature as fixed by law and also all officers and employees of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds Also all employees of any single county department of health or any joint county department of health created under the local health administration law being Act No. 315 approved August 24 1951 paid on a yearly or monthly basis and also all officers and employees of the Interstate Commission on the Delaware River Basin and of the Pennsylvania Turnpike Commission as of the date of entering the service of such commissions and of the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission The State Public School Building Authority The General State Authority and of The State Highway and Bridge Authority paid on a yearly or monthly basis if the Interstate Commission on the Delaware River Basin and the Delaware River Joint Commission the Delaware River Joint Toll Bridge Commission the Pennsylvania Turnpike Commission The State Public School Building Authority the General State Authority and The State Highway and Bridge Authority shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employees of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employees of the Commonwealth so long as they remain officers or employees of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employee" shall not include those persons defined as employees in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon

boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employees of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and Pennsylvania Soldiers' Orphan School as are not members of or who may withdraw from the public school employees' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employees' retirement association and that all service credited as a member of the public school employees' retirement system will be considered as having been rendered as a State employee The rates of deduction from salaries of such officers and employees to the State Employees' Retirement Fund shall be determined by the age at which the employee began to contribute to the Public School Employees' Retirement Fund

The term "State employee" shall also include all State officers and employees regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly salary but are paid only upon a per diem basis during legislative sessions and subsequent thereto

Employees of the respective institutions acquired by the Commonwealth from counties cities wards boroughs townships institutions districts and other political subdivisions that are actually used as State mental hospitals under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who as of the effective date of this act are contributors or who on or before the thirty-first day of [December] May one thousand nine hundred [forty-nine] fifty-two become contributors to this fund shall for the purposes of this act be deemed to have been "State employees" from the time they first entered the employ of such institution even though the same may have been prior to the acquisition of the institution by the Commonwealth if such employee shall pay to the retirement association a sum equal to all the back payments which such employee would have made had he or she become a member of the retirement association at the time he or she was first employed by such institution Such back payments may be spread over a period of years by having the regular payroll deduction of such employee increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted If not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

The term "State employee" shall also include State officers and employees regularly employed on a per diem or hourly or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis Regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year In all cases of doubt the retirement board shall determine whether any person is a State employee as defined in this paragraph and its decision shall be final



Section 2 Clause nine of Section 1 of said act as last amended by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1476) the twentieth day of May one thousand nine hundred forty-nine (P. L. 1517) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1541) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

\* \* \* \* \*

9 "Original member" of the retirement association shall mean a State employee who was at any time a State employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before [December] May thirty-first [one thousand nine hundred thirty-five] one thousand nine hundred fifty-two or any State employee who is an employee of any of the respective institutions acquired by the Commonwealth from any county city ward borough township institution district or other political subdivision for actual use as a State mental hospital under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who was at any time an employee of such institution prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred forty-nine or in any case where subsequent to such date the definition of "State employee" has been changed so as to include additional persons not previously classed as State employees or persons not classed as State employees at the time of entering the service of the State but who later became State employees as defined in this act because of a change in employment or method of compensation if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association and he expressly elects to become an "original member"

Any such State employee who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the person's employment the deductions for the period for which records are not available shall be computed by using the average of the earliest two-year period for which records are available

Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also

mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the same time of his election or appointment as a judge receiving a retirement allowance as an original member

Original member of the retirement association shall also mean any person employed on the effective date of this amendment by the State Board of Law Examiners of the Supreme Court of Pennsylvania who has been continuously so employed since January first one thousand nine hundred and forty and who on the effective date of this amendment is a contributor

Original member of the retirement association shall also mean any person who is a member of the General Assembly on the first day of September one thousand nine hundred forty-seven and who shall elect on or before December thirty-first one thousand nine hundred and forty-seven to become a member of the retirement association as of January first one thousand nine hundred and forty-seven and any person who is a member of the General Assembly on the first day of September one thousand nine hundred forty-nine and who shall elect on or before December thirty-first one thousand nine hundred forty-nine to become a member of the retirement association as of January first one thousand nine hundred forty-nine and any person who is a member of the General Assembly on the first day of September one thousand nine hundred fifty-one and who shall elect on or before the thirty-first day of May one thousand nine hundred fifty-two to become a member of the retirement association as of the first day of January one thousand nine hundred fifty-one

Original member of the retirement association shall also mean any person who was formerly a member of the General Assembly and who on the first day of September one thousand nine hundred forty-nine or who on the first day of September one thousand nine hundred fifty-one is a contributor

Section 3 Subsection nine of Section 8 of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1654) is hereby further amended to read as follows

#### State Employees' Retirement Fund and Accounts

##### Section 8

\* \* \* \* \*

(9) A contributor whether an original member or a new member who is in active service on the first day of June one thousand nine hundred forty-nine may transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class Provided That he completes the transfer on or before the thirty-first day of December one thousand nine hundred and forty-nine Provided further That a person separated from State service on the first day of June one thousand nine hundred forty-nine who returns to State service after such date and rejoins the retirement association may transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class if such transfer is requested in writing within sixty (60) days from the date of this amendment or the date of return to State service whichever is later Provided also That in the event of such transfer the per centum of salary deductions applicable to such transferred member in the one one-hundredth (1-100) class shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundredth-sixtieth (1-160) class

Where a member has transferred from the one one-hundredth-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided his State annuity upon retirement shall accept as hereinafter provided be calculated as follows



(a) For service prior to the time of transfer at the one one-hundredth-sixtieth (1-160) rate

(b) For service subsequent to the date of transfer to the date of retirement at the one one-hundredth (1-100) rate

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundredth-sixtieth (1-160) rate bears to the total time of contribution and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution

A contributor whether an original member or a new member on the first day of June one thousand nine hundred forty-nine and who heretofore has transferred or shall hereafter transfer from the one one-hundredth-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided may on or before the thirty-first day of December one thousand nine hundred forty-nine pay to the retirement association a sum equal to the difference between the sum of the amounts that would have been deducted from his or her payroll each payroll period since he or she became a member if he or she had elected to contribute in the one one-hundredth (1-100) class and the sum of the amounts actually deducted or in lieu of the payment of a lump sum a member transferring as herein provided may pay such sum in installments through payroll deductions. Such back payments may be spread over a period of years by having such regular payroll deductions of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed. Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated. The State annuity upon retirement of any member having made such payments in full shall be the same as though the member had elected to contribute in the one one-hundredth (1-100) class immediately upon becoming a member.

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,

Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubaeki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Westcott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 800, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing an additional state annuity on retirement for superannuation and providing for minimum retirement allowances in certain cases and appropriations for payment of the casts thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Clause (2) of Section 13 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth



day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows  
Section 13 Retirement for superannuation shall be as follows

(2) On retirement for superannuation a contributor shall receive a retirement allowance which shall consist of  
(a) A member's annuity which shall be the actuarial equivalent of his or her accumulated deuctions and

(b) A State annuity of one one-hundred-sixtieth (1-160) or one one hundredth (1-100) of his or her final salary for each year of total service except in the case of members who upon becoming members subsequent to December thirty-first one thousand nine hundred and twenty-four elected or hereafter elect not to make back payments in which case the State annuity shall be calculated only for each year of total service while a member and

(c) In addition thereto if an original member of the retirement association a further State annuity of one one-hundred-sixtieth (1-160) or one one-hundredth (1-100) of his or her final salary for each year of prior service as certified to said original member in the certificate issued to him or her by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty centum of his or her final salary

(d) in addition thereto an additional state annuity which shall be equivalent to the amount if any by which the employee's annuity is less than the state annuity for service rendered after the thirty-first day of December one thousand nine hundred twenty-three but in no event shall the total state annuity exceed fifty per centum of his or her final salary

(e) In addition thereto in the event of the retirement after ninety days from the effective date of this act of any contributor in the one one-hundredth (1-100) class a further State annuity which shall be equivalent to the amount if any by which the superannuation retirement allowance otherwise payable is less than one thousand two hundred dollars (\$1200) where the contributor has twenty-five years or more of credited service in this Commonwealth or if less than twenty-five years of such service than such proportional amount of such one thousand two hundred dollars (\$1200) as the years of such credited service bear to twenty-five years but in no event shall the total State annuity exceed fifty per centum of his or her final salary

Section 2 Said act is hereby amended by adding after Section 13 thereof a new section to read as follows

#### Minimum Allowances for Present Beneficiaries

Section 13.1 (a) Every beneficiary who is receiving either a disability or superannuation retirement allowance under this act of ninety days after the effective date of this act shall receive in addition to the benefits otherwise provided by this act a further State annuity which shall be equivalent to the amount if any by which such retirement allowance otherwise payable is less than one thousand two hundred dollars (\$1200) annually where the contributor has twenty-five years or more of credited service in this Commonwealth or if less than twenty-five years of such service then such proportional amount of such one thousand two hundred dollars (\$1200) as the years of such credited service bear to twenty five years

If the whole or any portion of such superannuation retirement allowance is based upon membership in the one-hundred-sixtieth (1-160) class then in the calculations relating to the twelve hundred dollar annual minimum an adjustment shall be made as to such superannuation retirement allowance or any portion thereof in the ratio that one one-hundredth (1-100) bears to one one-hundred-sixtieth (1-160)

In the event that a beneficiary is receiving a reduced superannuation retirement allowance because of having elected an option such additional State annuity if any shall be related to the amount of the full retirement allowance he would have received if no option had been elected and in the event that a beneficiary when entering upon a superannuation retirement allowance has elected

an option providing for a survivor annuity and the beneficiary has later died and the survivor beneficiary is in receipt of a survivor annuity then the additional State annuity if any payable to such survivor beneficiary shall be such reduced amount as under the rules is related to the additional State annuity if any which would have been payable to the retired member if such option had not been elected

(b) The General Assembly shall from time to time appropriate moneys sufficient to make payments under this section based on estimates submitted by the board

Section 3 The provisions of this act shall become effective ninety days after its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McInroy,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisich,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucclin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toil,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kilne,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fehrlich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Maddrn,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate



with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 811, as follows:

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the twenty-eight day of April one thousand nine hundred forty-nine (P. L. 776) and the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1438) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of fifteen thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor

and shall receive a salary at the rate of [eight thousand five hundred] ten thousand dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand eight hundred (1800) persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Milhm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Relly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—0

#### NOT VOTING—0



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

### BILL PASSED OVER

There being no objection

Senate Bill No. 825, Printer's No. 661,  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 872, as follows:

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative board and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" as last amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (Act No. 400) is hereby further amended to read as follows

Section 21 Regulations All regulations of any agency which are in effect on the first day of [December one thousand nine hundred fifty-one shall expire on the first day of January] June one thousand nine hundred fifty-two shall expire on the first day of July one thousand nine hundred fifty-two unless a copy thereof certified by the executive officer chairman or secretary of the agency is filed in the Department of State in such form and size as shall be prescribed by the Department of State prior to the first day of [January] July one thousand nine hundred fifty-two Regulations adopted after the [thirtieth day of November one thousand nine hundred fifty-one] thirty-first day of May one thousand nine hundred fifty-two shall have no effect until a copy thereof certified by the executive officer chairman or secretary of the agency is filed in the Department of State in such form and size as shall be prescribed by the Department of State Printing of copies of regulations filed with the Department of State shall not be required All regulations shall be approved as to legality by the Department of Justice before they are filed in the Department of State but failure of the agency to submit a regulation for such approval shall not invalidate the regulation Copies of all regulations shall be made available by the adopting agency upon request

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando, Goodling, Markley, Rovaneck,

Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglass,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
ug,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Laisey,	Pitzer,	Welsh,
Ewing,	Lederer,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Relly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 885, entitled:

An Act to amend subsection (b) of Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture

On the question,

Will the House agree to the bill on third reading?

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:



Amend Sec. 1, page 2, line 1, by striking out the words "Section 608" and inserting in lieu thereof: "Subsection (b) of Section 501".

Amend Sec. 1 (Sec. 501), page 4, line 10, by striking out the word "subjection" and inserting in lieu thereof: "subsection".

Amend Sec. 1 (Sec. 501), page 5, line 11, by striking out the word "Department" and inserting in lieu thereof: "department".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 925 entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the laws relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only and authorizing licenses and tags for groups of counties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FILO. Mr. Speaker, I would like to have somebody explain the bill and the purpose of the bill.

Mr. GOODLING. Mr. Speaker, earlier in this session we passed a bill setting up a new way for the Pennsylvania Game Commission to declare an open season on antlerless deer.

We have discovered now that the administration of the thing could not be worked out the way it was handled this year. In this particular bill we are proposing in the future all the licenses shall be issued in the county where the open season is to be held; rather than sixty percent in that county and forty percent by the Department of Revenue.

Mr. FILO. Mr. Speaker, may I interrogate the gentleman?

The SPEAKER. Will the gentleman from York, Mr. Goodling, permit himself to be interrogated?

Mr. GOODLING. I shall, Mr. Speaker.

Mr. FILO. According to your description of the bill all doe licenses would be given to the various counties that would have open season on doe, is that correct?

Mr. GOODLING. That is correct.

Mr. FILO. Under this provision what chances—let us take the gentleman's county for instance—if they have open doe season in his county, you have 8,000 licenses in your county, can the gentleman assure me that hunters from Allegheny County would be eligible for the doe license in his county.

Mr. GOODLING. I cannot assure the gentleman of that, Mr. Speaker, but I can tell him this: the people in his county would have the same privilege as the people in my county would have.

If I may add a word to that, Mr. Speaker, we are raising the issuing fee from ten to fifteen cents and stating that the County Treasurer must mail out the licenses.

Mr. FILO. I am not arguing about the fee, I am just wondering, with between 80,000 and 100,000 hunters in Allegheny County, what chances they would have of obtaining a doe license in the county of Mr. Goodling?

I can see a point here whereby hunters from Allegheny County would be shut out entirely from hunting in his county. If doe licenses were administered in his county, say approximately 5,000, how could he guarantee that any one of the hunters from Allegheny County who have no place to hunt could hunt in his county?

With this bill the hunters in his county could buy up all the doe licenses and the hunters in Allegheny County, who are paying hundreds of thousands of dollars as sportsmen, would not be able to hunt in his county. That is not only true of his county, but that is true of any county in the state of Pennsylvania.

I feel that this is an unjust bill. If under the provisions of this bill there would be a guarantee of a certain amount of licenses to be issued to hunters from various other counties, the bill would be a good bill. I cannot see the bill as it is in its present form.

I know it has been done, and it will be done, that hunters going out, some hunters in some counties do not like to have doe season. Therefore, they would buy up the excess doe licenses and prevent a hunter from a county like my county, Allegheny, and probably from Philadelphia, from hunting in that district.

Mr. GOODLING. Mr. Speaker, in reply to the gentleman from Allegheny, I might say that this is strictly a privilege. I can cite you precedents where this occurs all over the United States. Hunting doe is a privilege. I might add further that it is impossible for any one county to buy up the licenses in a county, unless they have sufficient resident hunting licenses. You must first of all have a resident hunting license.

We will grant you this is not a perfect bill by any means. We are willing to take our chance and say that this is far better than any other way that has been tried before by the Pennsylvania Game Commission to control the deer herd.

Mr. FILO. Mr. Speaker, in my humble opinion I think this is a very unfair bill. I would say that the hunters in Western Pennsylvania, particularly in Allegheny County who pay maybe ten, fifteen, twenty times more hunting revenue of the State, would be deprived of a right to hunt in a certain county.

I think the way this bill is written up in its present form it is unjust and inequitable.

Mr. Speaker, will it be all right to pass this bill over for a few minutes?

#### BILL PASSED OVER

There being no objection

Senate Bill No. 925, Printer's No. 721  
was passed over at the request of Mr. FILO.

Agreeably to order,



The House proceeded to the third reading and consideration of Senate Bill No. 399, as follows:

An Act to amend Section 11.1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and and judicial process and providing penalties" by extending the time for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and a member of the Public School

#### Employees' Retirement Association

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 11.1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as added by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1174) is hereby amended to read as follows

#### Transfer to Service under Public School Employees' Retirement Association

Section 11.1 Any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association by leaving with the retirement board all of his or her accumulated deductions at the time he or she ceases to be a State employee may retain his or her membership in the State Employees' Retirement Association but without credit under the State Employees' Retirement System for service for which credit is allowed under the Public School Employees' Retirement System and without the right to a disability retirement allowance under the provisions of section twelve of this act and with final salary equal to the average annual salary earnable by the contributor as a State employee for the years of service not exceeding five immediately preceding his or her ceasing to be a State employee Any person who has heretofore been a contributor and has ceased to be a State employee and at such time becomes a public school employee and a member of the Public School Employees' Retirement Association may restore his or her membership in the State Employees' Retirement Association by repaying to the retirement board on or before the thirty-first day of [December] May one thousand nine hundred [forty-seven] fifty-two the full amount of his or her accumulated deductions at the time of his or her ceasing to be a State employee or any part thereof that may have been heretofore withdrawn Any such accumulated deductions left with or repaid to the retirement board as long as the contributor continues to be a public school employee and a contributor under the Public School Employees' Retirement Act shall be credited with regular interest thereafter

Nothing contained in this section shall limit the right of a State employee who has heretofore separated or shall hereafter separate from his or her service as a State

employee to become a public school employee and a member of the Public School Employees' Retirement Association to retain or restore his or her rights as a member as they existed at the time of such separation in the manner provided in this act or to return to service as a State employee at any time and to add to such retained or restored rights by further service and further payroll deductions

Section 2 The provisions of act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer.
Banker,	Greenwood,	Mazza,	Rubin.
Barkdoll,	Greer,	McConnell,	Sarraf.
Baumunk,	Guarnieri,	McCormack,	Sax.
Bea,	Gutendorf,	McCullough,	Scanlon.
Beaver,	Guthrie,	McDermitt,	Schmidt.
Beech,	Hagerty,	McGee,	Schuster.
Berkstresser,	Hall,	McInroy,	Scott.
Blair,	Hamilton, R. K.,	McKinney,	Seyler.
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bolton,	Harney,	McNally,	Shotwell.
Boles,	Haudenshield,	Metz,	Smith.
Bombberger,	Headlee,	Mihm,	Snider.
Bower,	Helm,	Mikula,	Sollenberger.
Breisch,	Hersch,	Miller, H. G.,	Spencer.
Breth,	Hewitt,	Miller, J. C.,	Stank.
Brown,	Hocker,	Mills,	Stimmel.
Bucclin,	Hoggard,	Mintess,	Stoner.
Byrne,	Hunter,	Monroe,	Swartz.
Cella,	Jenkins,	Moore, C. E.,	Swope.
Clapper,	Johnson,	Moore, H. A.,	Tahl.
Clendening,	Jones, G. E.,	Moran,	Taylor.
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toil.
Corr,	Jump,	Musto,	Tompkins.
Costa,	Kamyk,	Najaka,	Toomey.
Coyle,	Keller,	Naugle,	VanSant.
Dalrymple,	Kent,	Needham,	Varallo.
Davis,	Kline,	Olsen,	Varnier.
Dennison,	Kohl,	Penglase,	Verona.
Dougherty,	Kolankiewicz,	Peta,	Wachhaus.
Dowling,	Kornick,	Petrosky,	Wargo.
DuBois,	Kratz,	Pettigrew,	Waterhouse.
Duffy,	Kubacki,	Pfaff,	Watkins.
Dunn,	Lafore,	Pichney,	Weidner.
Erb,	Lederer,	Pitzer,	Welsh.
Ewing,	Lelsey,	Polaski,	Wescott.
Fenrich,	Leonard, L.,	Polen,	Westrick.
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley.
Filip,	Leven,	Price, R. A.,	Wheeler.
Filo,	Light,	Readinger,	White.
Firmstone,	Limper,	Reagan,	Williams.
Flack,	Loftus,	Reese,	Wilt.
Frost,	Lopresti,	Reidenbach,	Wood.
Gaffney,	Lovett,	Relly, J. M.,	Yeakel.
Geer,	Lutty,	Rigby,	Yetzer.
Gibson,	Lyons,	Riley, R. L.,	Young.
Gleason,	Madden,	Robertson,	Ziegler.
Good,	Madigan,	Rose,	Sorg.
		Rosen.	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.



Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 400, as follows:

An Act to amend Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employe and becomes a State employe and a member of the State Employees' Retirement Association

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as added by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1365) is hereby amended to read as follows

Transfer to Service under State Employees' Retirement Association

Section 12.1 Any contributor who ceases to be a public school employe and becomes a State employe and a member of the State Employees' Retirement Association by leaving with the retirement board all of his or her accumulated deductions at the time he or she ceases to be a public school employe may retain his or her membership in the Public School Employees' Retirement Association but without credit under the public school employees' retirement system for service for which credit is allowed under the State employees' retirement system and without the right to a disability retirement allowance under the provisions of section thirteen of this act and with final salary equal to the average annual salary earnable by the contributor as a public school employe for the years of service not exceeding ten immediately preceding his or her ceasing to be a public school employe and any person who has heretofore been a contributor and has ceased to be a public school employe and at such time becomes a State employe and a member of the State Employees' Retirement Association may restore his or her membership in the Public School Employees' Retirement Association by repaying to the retirement board on or before the thirty-first day of [December] May one thousand nine hundred [forty-seven] fifty-two the full amount of his or her accumulated deductions at the time of his or her ceasing to be a public school employe or any part thereof that may have been heretofore withdrawn Any such accumulated deductions left with or repaid to the retirement board as long as the former contributor continues to be a State employe and a contributor under the State Employees' Retirement Act shall be credited with regular interest thereafter

Nothing contained in this section shall limit the right of a public school employe who has heretofore separated

or shall hereafter separate from his or her service as a public school employe to become a State employe and a member of the State Employees' Retirement Association to retain or restore his or her rights as a member as they existed at the time of such separation in the manner provided in this act or to return to serve as a public school employe at any time and to add to such retired or restored rights by further service and further payroll deductions

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando.	Graybill,	Maxwell,	Rovansek,
Andrews.	Greenwood,	Mazza,	Royer,
Banker.	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. E.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenahfield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBols,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Poleh,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Fillip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with



amendments in which the concurrence of the Senate is requested.

### RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, I move that the vote by which Senate Bill No. 548, Printer's No. 713, entitled

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses

was ordered to be transcribed for third reading today, be reconsidered.

Mr. SOLLENBERGER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm vote on ordering the bill to be transcribed for third reading?

Mr. HELM. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair Mr. Sollenberger vote on ordering the bill to be transcribed for third reading?

Mr. SOLLENBERGER. Mr. Speaker, I voted in the majority.

Mr. HELM. Mr. Speaker, I move that the vote by which the bill was agreed to on second reading be reconsidered.

The motion was agreed to.

Mr. HELM. Mr. Speaker, I move that the vote by which the title and the various sections were agreed to be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendment:

Amend Section 1, page 2, line 1, by striking out the words and figures "eighty-five million dollars (\$85,000,000)" and inserting in lieu thereof "eighty-seven million one hundred thousand dollars (\$87,100,000)".

It was agreed to.

The section was agreed to as amended.

The second to sixth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

### RECONSIDERATION OF VOTE

Mr. KENT. Mr. Speaker, I move that the vote by which Senate Bill No. 888, Printer's No. 629, entitled

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and the payment of fees and costs in such cases

was ordered to be transcribed for third reading today, be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Crawford, Mr. Kent, vote on ordering the bill to be transcribed for third reading?

Mr. KENT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on ordering the bill to be transcribed for third reading?

Mr. HELM. Mr. Speaker, I voted in the majority.

The motion was agreed to.

Mr. KENT. Mr. Speaker, I move that the vote by which the bill was agreed to on second reading be reconsidered.

The motion was agreed to.

Mr. KENT. Mr. Speaker I move that the vote by which the title and the various sections were agreed to be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendment:

Amend Sec. 1 (Sec. 8.1), page 2, lines 11 and 12, by striking out "in which the amount in controversy shall be one thousand dollars (\$1000) or less".

It was agreed to.

The section was agreed to as amended.

The second to seventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

### REPORT OF JOINT STATE GOVERNMENT COMMISSION RELATING TO DECEDENTS' ESTATE LAWS OF 1951

Mr. ROYER presented on behalf of the Joint State Government Commission a Report Relating to Decedents' Estates Laws of 1951.

(For report, see Appendix).

### RESOLUTION

#### RECALLING HOUSE BILL 1690 FROM GOVERNOR

Mr. HELM offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 20, 1951.

Resolved (if the Senate concur), that House Bill No. 1690, Printer's No. 1023, entitled "An act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund," be recalled from the Governor.

Ordered, That the Clerk present the same to the Senate for concurrence.

## REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 598

Mr. JOHNSON presented the report of the Committee of Conference on Senate Bill No. 598 as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 598, entitled: "An act to further amend Section 10 of the act, approved the twenty-ninth day of May, one thousand eight hundred eighty-five (P. L. 29), entitled 'An act to provide for the incorporation and regulation of natural gas companies,' by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right," respectfully report that we are unable to agree on a bill to resolve the differences that exist between the Senate and the House of Representatives.

GEORGE B. STEVENSON  
A. R. PECHAN  
JOHN H. DENT

(Committee on the part of the Senate.)

ALBERT W. JOHNSON  
FRANK A. COSTA  
ALBERT S. READINGER

(Committee on the part of the House of Representatives.)

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSSION

Mr. DENNISON asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

## RESOLUTION

### TO DISCHARGE COMMITTEE

Messrs. SCHMIDT and SEYLER offered a resolution which was read as follows:

In the House of Representatives, December 20, 1951.

Resolved, That the Committee on Education be discharged from further consideration of Senate Bill No. 375, entitled "An act to amend clause (b) of Section 1 of the act approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1183) entitled 'An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board' by changing method of selecting panels for the adjustment of grievances of school district, certain employes and imposing additional duties on such panels," said bill having been in the hands of said Committee for a period of ten days and more, having been referred on May 14, 1951.

On the question,

Will the House adopt the resolution?

Mr. SCHMIDT. Mr. Speaker, on May 14, 1951, now seven months past, there was placed in the hands of the Committee on Education of this House, Senate Bill 375 which had passed that body by a vote of 42 to 7.

At the session in 1947 an anti-strike bill was passed in this Commonwealth preventing employes of municipal corporations from engaging in strikes in order to settle their labor disputes. As a part of that bill there was incorporated an arbitration clause. This arbitration clause

as applied to employes of the school systems of Pennsylvania required where a labor dispute occurred, it was to be submitted to a board of arbitration composed of a representative of the employe, a representative of the school board and the third member to be a representative of the Superintendent of Public Instruction of this Commonwealth.

As you readily can see any employe or group of employes, when it came to arbitration, had a stacked board, in plain language, for two representatives of education appeared on this board against one representative of the employe.

This Senate bill desires to change this inequity and provides that non-professional employes, that is maintenance employes, not teachers, when a labor dispute occurs, the board of arbitration shall be composed of a representative of the employe, a representative of the school board and a third impartial representative to be selected by the two.

This is in line with all accepted theory of arbitration today in labor management-relationship; that the third member shall be one who has no interest whatsoever in the outcome of the dispute and who can fairly and impartially be the deciding vote between the contending parties, particularly where we have by law required that no strike shall take place we can justify this change in the present law.

I, therefore, ask that the Committee of Education which has this bill in its hands and which refused to discharge same so that you may vote upon it be required to bring this bill to the floor of the House.

On the question recurring

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, we will accept a party vote on the resolution to discharge.

The SPEAKER. The Chair thanks the gentleman.

The yeas and nays were required by Mr. Schmidt and Mr. Andrews, and were as follows:

### YEAS—86

Amarando,	Headlee,	McNally,	Rose,
Andrews,	Hersch,	Mihm,	Rosen,
Beaver,	Hoggard,	Mills,	Rovansek,
Berkstresser,	Hunter,	Monroe,	Sarra,
Boles,	Jenkins,	Moran,	Scanlon,
Breth,	Jones, G. E.,	Muldowney,	Schmidt,
Bucchin,	Jones, J. M.,	Munley,	Schuster,
Byrne,	Jones, P. F.,	Musto,	Seyler,
Cochran,	Kamyk,	Needham,	Snider,
Conway,	Kolankiewicz,	Olsen,	Stank,
Corr,	Kornick,	Penglase,	Swope,
Coyle,	Kubacki,	Peta,	Taylor,
Dougherty,	Lederer,	Petrosky,	Toll,
Duffy,	Leonard, L.,	Pettigrew,	Varallo,
Fenrich,	Leven,	Pfaff,	Verona,
Filip,	Limper,	Polaski,	Wargo,
Filo,	Lopresti,	Poleh,	Welsh,
Gaffney,	Lovett,	Price, R. A.,	Westrick,
Good,	Lutty,	Readinger,	Wheeler,
Guarnieri,	Maxwell,	Reese,	Williams,
Hagerty,	McDermitt,	Reidenbach,	Yetzer,
Hamilton, R. K.,	McGee,		

### NAYS—93

Banker,	Gibson,	Madigan,	Rubin,
Barkdoll,	Gleason,	Markley,	Sax,
Baumunk,	Goodling,	McConnell,	Shotwell,
Bear,	Graybill,	McCormack,	Smith,
Beech,	Greenwood,	McCullough,	Sollenberger,
Blair,	Greer,	McInroy,	Spencer,
Bolton,	Gutendorf,	McKinney,	Stimmel,
Bomberger,	Guthrie,	McMillen,	Stoner,
Bower,	Hall,	Metz,	Swartz,



Brown,	Hamilton, W. H.,	Miller, H. G.,	Tahl,
Cella,	Harney,	Mintess,	Thompson, E. F.,
Clapper,	Haudenschild,	Moore, C. E.,	Thompson, R. L.,
Clendening,	Helm,	Moore, H. A.,	Tompkins,
Costa,	Hewitt,	Murray,	Toomey,
Davis,	Hocker,	Naugle,	VanSant,
Dennison,	Keller,	Pichney,	Varner,
Dowling,	Kent,	Pitzer,	Waterhouse,
DuBois,	Kratz,	Reagan,	Weidner,
Ewing,	Lafore,	Reilly, J. M.,	Wescott,
Ferster,	Lelsey,	Rigby,	Whalley,
Firmstone,	Leonard, W. C.,	Riley, R. L.,	Wood,
Flack,	Light,	Robertson,	Yeakel,
Frost,	Loftus,	Royer,	Ziegler,
Geer,			

## NOT VOTING—26

Bloom,	Jones, T. H. W.,	Mikula,	Wachhaus,
Brelsich,	Jump,	Miller, J. C.,	Watkins,
Cooper,	Kline,	Najaka,	White,
Dalrymple,	Kohl,	Price, H. W. Jr.,	Wilt,
Dunn,	Lyons,	Scott,	Young,
Erb,	Madden,	Shoemaker,	Sorg,
Johnson,	Mazza,		Speaker

So the question was determined in the negative and the resolution was not adopted.

## PERMISSION TO ADDRESS HOUSE

Mr. GUARNIERI asked and obtained unanimous consent to address House.

Mr. Speaker, at this time of the year we are all inspired by the good cheer of Christmas, and I was inspired to write a few lines the other evening and I would like to read these lines to the House and have them upon the record. It is entitled "The Week Before Christmas."

The SPEAKER. The Chair is of the opinion that the Members will be very much interested in hearing the message of the gentleman from Philadelphia, Mr. Guarinieri, at this time. The Chair asks the indulgence of the Members.

Mr. GUARNIERI. Mr. Speaker, with the kind indulgence of the Chair and the Members I would like to read these few humble lines. I hope I can cheer you up, but if I do not, this is only in good spirit anyway.

## 'Twas the Week Before Christmas

'Twas the week before Christmas—the House was still in session.

The year was fifty-one—still lingered there one question:

When shall this House adjourn forever and a day?  
Shall it be the 22nd, or shall it be next May?

Eleven months of legislating—of the year this the twelfth

Arduous and taxing are the problems of the Commonwealth.

Taxation was one stumbling block, but others there were too

FEPC had its day and with Mr. Pechan's bill there was much ado!

Our legal brothers had their bills to change this law and that . . .

More judges needed for the courts, judicial pay inadequate . . .

Jurisdiction, subrogation, sci fa and fi fa writs . . .  
Oh, such nice technicalities for the legal wits!

'Twas the week before Christmas, when the land was all white

And the beauteous slumber of snowfall had stilled the quiet night . . .

Yet the hearts and minds of lawmakers were very much alerted

Over fair Philadelphia's problems which could not be diverted—

Consolidation and merger, city and county plans, Congressional reapportionment and wage tax demands!

While Senatorial decorum was put to the test to maintain its dignity and yet cut the Gordian knots . . .  
The gentlemen of the House were thankful for their happier lot.

And now that Christmas joy has fused diverse mind and heart

And the Members on each side of the House unite in Yuletide cheer . . .

May we not all return to home and hearth and joyfully say to each other,

"Glory to God in the Highest; on Earth, Peace" and to all our Members, "Goodwill."

George T. Guarinieri  
December 20, 1951  
Harrisburg,  
1616 Walnut Street,  
Philadelphia, Pa.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FILO asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

## RESOLUTION

## CONDOLENCE

Messrs. FILO, SCANLON, SARRAF and DuBOIS offered a resolution which was read, considered and unanimously adopted by a rising vote as follows:

In the House of Representatives, December 20, 1951.

Once again the House pauses to reflect on the transitory nature of our temporal order. In the midst of human struggle and turmoil and of legislative wrangling and jockeying the peremptory call of death brings to an end the earthly career of the Honorable William J. Yester.

He was an esteemed representative from the ninth district in Allegheny County for five successive terms. As a Democrat, he was an exemplar of party solidarity and virtue and was always in the forefront of civic progress and reform.

His fraternal affiliations were many and enthusiastic. Among them were the Elks, the Eagles, the Knights of Columbus, the Kiwanis, the A.O.A., and the L.O.O.M.—and among these fraternal groups his presence was tangible and helpful.

Professionally, Mr. Yester was an optometrist, who carried on his duties effectively despite the many encroachments upon his time by political considerations.

The sudden death of Mr. Yester has taken from McKeesport a truly outstanding civic leader; therefore be it

Resolved, That this House of Representatives express its deep regret at the loss of one of its revered colleagues and its sympathy with the greater loss sustained by the citizens of McKeesport in the abrupt departure of one of its most conscientious and effective spokesmen and leaders; and be it further

Resolved, That a copy of this resolution with its messages of condolence be transmitted to his surviving widow, Mrs. William J. Yester, 1717 Jenny Lind Street, McKeesport.

## BILL ON THIRD READING

Agreeably to order,

The House resumed consideration of Senate Bill No. 925, as follows:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning



game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the nineteenth day of July one thousand nine hundred fifty-one (Act No 249) is hereby further amended to read as follows

Section 501 Open Seasons After investigation or information otherwise obtained by the commission as to the annual game supply the commission may by appropriate rules and regulations a summary of which shall be published as hereinafter specified fix seasons shooting hours and daily season and possession limits or remove protection and declare an open season or increase reduce or close seasons or increase or reduce bag limits for all species of game birds and game animals throughout the Commonwealth or in any part thereof or limit the number of hunters in any designated area and prescribe the methods of hunting therein when in its opinion such action is necessary to assure the maintenance of an adequate supply of such species or when an unbalanced sex ratio exists which in its opinion should be corrected or when in the opinion of the commission such additional open season will not jeopardize the future supply of game

\* \* \* \* \*

(c) Resident and Nonresident Hunters' Licenses and Tags for Antlerless Deer If in any year the commission by resolution declares an open season for antlerless deer it shall issue resident and nonresident hunters' licenses and tags for antlerless deer to hunt for or kill such deer at a fee of [one dollar and ten cents] one dollar fifteen cents under such rules and regulations governing the issuance of such licenses and tags as it may deem necessary to limit the number of persons who may hunt for such deer in any county of the Commonwealth provided public notice of such action is given as hereinafter required and Provided however That no applications for antlerless deer licenses received from nonresidents shall be approved or licenses issued except during a period of thirty (30) days immediately preceding the opening date of such antlerless deer season Such licenses and tags may be issued only to holders of resident or nonresident hunting licenses

Resident and nonresident hunters' licenses and tags for antlerless deer shall be issued only [by the Department of Revenue and] by the county treasurers in counties where such deer may be hunted and killed who for that purpose are hereby made agents of the Department of Revenue

For services rendered in collecting and paying over fees and issuing licenses and tags by mail or otherwise such agents may retain the sum of [ten] fifteen cents from the amount paid by each license which amount shall be paid into the county treasury except that such agents may retain therefrom any amounts necessary to reimburse them for any expenses including compensation of employees incurred in collecting such fees and issuing such licenses and tags

[Forty per cent of all antlerless deer licenses and tags shall be made available for issuance by the Department of Revenue The remaining sixty per cent shall be made available for issuance by the county treasurers of the county in which such licenses are to be used]

When such licenses are issued to restrict the number of persons who may hunt antlerless deer in any county of the Commonwealth any citizen of the United States residing within the Commonwealth who is a bonafide owner or lessee of lands which lie within the county declared open to the hunting of said deer or any member of the family or household or regularly hired help of

such owner or lessee if such person is a citizen of the United States actually residing upon and cultivating such lands is hereby declared eligible to hunt antlerless deer without a resident hunters' license for antlerless deer upon said property and by and with the consent of the owner thereof upon the lands immediately adjacent and connected with his own lands other than lands owned by or under the control of the Commonwealth

The terms "antlerless deer" and "deer without visible antlers" as used in this subsection or any other provision of the Game Law which this act amends are hereby defined to mean a deer without an antler sometimes called horn the term "antler" as herein used or in any other provision of the Game Law which this act amends meaning the bony growth on the head of a deer regardless of its size or development

When the commission adopts and promulgates such rules and regulations relative to resident and nonresident hunters' licenses and tags for antlerless deer it is unlawful for any person other than a landowner or lessee of the county or a member of his household as hereinbefore enumerated to hunt for antlerless deer without a resident or nonresident hunters' license and tag for antlerless deer or to take such deer contrary to the rules and regulations adopted by the commission

On the question recurring,

Shall the bill pass finally?

Mr. FILO. I just want to make a short statement regarding the bill we had pertaining to doe season in the state which was an experiment. I think this bill right at the present time is an experiment. The only objection I have to it, and I want to make sure that when those Members from my county and probably other counties like Allegheny send their applications in they be given in return the licenses on a first come first serve basis. I want the Members on this side of the House not to go by my actions and my vote. I am still going to vote "no" on the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenen,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,



DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Flipp,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,

Speaker

NAYS—1

FNo,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 44.

An Act to amend section 1 of the act approved the twenty-third day of June one thousand nine hundred thirty one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation" by increasing maximum amount of aid payable to any county

#### HOUSE BILL No. 792.

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates and for their admission to and care therein and the payment of the cost thereof and making an appropriation

#### HOUSE BILL No. 967.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending consolidating the law relating thereto" by providing for disability leave with salary and hospital and medical expenses for certain employees of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

#### HOUSE BILL No. 1135.

An Act to amend the title and Sections 2 and 3 of the act, approved the third day of June, one thousand nine hundred forty-three (P. L. 847), entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind

to adopt rules and regulations; and making an appropriation," by authorizing the State Council to purchase, own, install, maintain and lease, equipment and accessories for suitable business enterprises for the blind, accept Federal funds

#### HOUSE BILL No. 1138.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh.

#### HOUSE BILL No. 1139.

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of ostopaths in this State and to provide penalties for the violation of this act" by changing the time and increasing the fee for annual registration of osteopaths

#### HOUSE BILL No. 1149.

An Act making an appropriation to the Department of Public Instruction, including proceeds of publications sold, for the purpose of revising the curricula of elementary, secondary and vocational schools.

#### HOUSE BILL No. 1152.

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the law relating thereto" by providing for the training of children physically handicapped by speech and hearing defects at rehabilitation centers provided by the Department of Public Instruction and making an appropriation

#### HOUSE BILL No. 1215.

An Act fixing the fee or cost to be charged by aldermen magistrates and justice of the peace and imposing liability thereof upon the county in certain cases

#### HOUSE BILL No. 1541.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the Incodel Plan a four State compact between New York New Jersey Delaware and Pennsylvania for the purposes of developing utilizing controlling and conserving the water resources of the Delaware River Basin

#### HOUSE BILL No. 1567.

An Act to amend Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the law relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations

#### HOUSE BILL No. 1639.

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

## HOUSE BILL No. 1654.

An Act to provide for the expenses of the Joint Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one

## HOUSE BILL No. 1681.

An Act to amend Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of the State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by increasing the salary of mine inspectors

## HOUSE BILL No. 1682.

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" by further increasing the salary of the first aid and mine rescue instructors

Whereupon,

The SPEAKER, in presence of the House, signed the same.

## PERMISSION TO ADDRESS HOUSE

Mr. GUARNIERI asked and obtained unanimous consent to address the House.

Some lines dedicated to the members of the House of Representatives. During the various debates on the amendments to the Pechan Loyalty Oath Bill, S-27, there was much discussion of that provision of the Bill providing for a "trial de novo," and it resulted that the words "de novo" assumed especial significance as a guarantee of the rights of the accused. Yet, the words did provoke some humorous reactions, as well, to lighten the burdens of the members of the House.

These lines are written not in belittlement of the seriousness of the issues involved nor of the sincerity of the members of the House to find some adequate safeguards for the rights of the individual. These are offered in a spirit of good-fellowship during the closing hours of the present session.

## "De Novo"

What is de novo? Who is de novo? Whence does "de novo" come?

What means "de novo"? Where is "de novo"?

Anon—anon—anon!

Such little words—and yet so BIG—

Just three syllables in it all!

Five letters of the alphabet did confound this Hall!

It's spelled "d-e," but sounds like "day"—

the "novo" is there, no less!

Oh, Lexicon, Oh, Lexicon, they do our minds arrest!  
The ablatives, the genitives, the datives gang astray—  
or, is it in the nominative? does the "novo" follow  
"de?"

Proud salons in the Hall of the House did long deliberate

and many hours were consumed, its meaning to elucidate.

For standing alone, if alone they could, the "novo" and the "de," they might cause trouble enough, But add thereon a third word—"trial," and then the going's tough!

"Trial de novo" means just that, and that and nothing more!

It means "anew"—"all over again"—"da capo" in the musical score.

"Da capo" explains it—it means "from the head," and "head" means Beginnin'!

So let us start all over again and explain once more its meanin'.

But, wait! Methinks I hear a voice - - -

It cries out "Supersedeas!"

—"Withhold your judgment for awhile—less you be repetitious."

—"I am those words so misunderstood . . . .

"I'm not "da capo" nor "beginnin'!"

I am what I am as I am

and so long as time shall bear me in mind

"De Novo"—and nothing more—it my meanin'.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 9:30 p. m. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local government agencies in solving certain regional planning problems.

On the question,

Will the House agree to the bill on third reading?

Mr. WOOD. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 2, by striking out the words and figures "One hundred thousand dollars (\$100,000)" and inserting in lieu thereof "Two hundred thousand dollars (\$200,000)".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been



prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 370.

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs and improvements to existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

#### HOUSE BILL No. 640.

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof.

#### HOUSE BILL No. 819.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

#### HOUSE BILL No. 1066.

An Act making an appropriation to the Temple University Medical School at Philadelphia, Pennsylvania.

#### HOUSE BILL No. 1121.

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

#### HOUSE BILL No. 1122.

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

#### HOUSE BILL No. 1126.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research.

#### HOUSE BILL No. 1127.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

#### HOUSE BILL No. 1130.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

#### HOUSE BILL No. 1141.

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

#### HOUSE BILL No. 1143.

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction to complete the new Boys' Dormitory.

#### HOUSE BILL No. 1144.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in

hospitals for students in the School of Medicine of said university.

#### HOUSE BILL No. 1146.

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

#### HOUSE BILL No. 1147.

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

#### HOUSE BILL No. 1150.

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

#### HOUSE BILL No. 1165.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Hall in Philadelphia.

#### HOUSE BILL No. 1178.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

#### HOUSE BILL No. 1217.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

#### HOUSE BILL No. 1404.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof.

#### HOUSE BILL No. 1422.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

#### HOUSE BILL No. 1423.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

#### HOUSE BILL No. 1488.

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

#### HOUSE BILL No. 1497.

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No. 141) entitled "An act relating to mental health including mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes adding and changing penalties and providing for commitment of mentally ill persons to Vet-

erans Administration or other agency of the United States.

#### HOUSE BILL No. 1683.

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith with the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 323

Mr. WOOD presented the report of the Committee of Conference on House Bill No. 323.

The SPEAKER. The report will lie over for printing under the Rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1142

Mr. WOOD presented the report of the Committee of Conference on House Bill No. 1142.

The SPEAKER. The report will lie over for printing under the Rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1224

Mr. WOOD presented the report of the Committee of Conference on House Bill No. 1224.

The SPEAKER. The report will lie over for printing under the Rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1397

Mr. WOOD presented the report of the Committee of Conference on House Bill No. 1397.

The SPEAKER. The report will lie over for printing under the Rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1421

Mr. WOOD presented the report of the Committee of Conference on House Bill No. 1421.

The SPEAKER. The report will lie over for printing under the Rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1582

Mr. WOOD presented the report of the Committee of Conference on House Bill No. 1582.

The SPEAKER. The report will lie over for printing under the Rules.

### SENATE MESSAGE

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 615.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles and removal of excess loads [and] prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs.

#### SENATE BILL No. 793.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

### SENATE MESSAGE

#### SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate adheres to its amendments, non-concurred in by the House of Representatives, to House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

#### HOUSE RECEDES FROM NONCONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1065

Mr. JOHNSON. Mr. Speaker, I move that the House recede from its nonconcurrence and concurs in the amendments made by the Senate to House Bill No. 1065.

On the question,



Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			

## NAYS—0

## NOT VOTING—0

The majority required by the Constituion having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## COMMITTEE OF CONFERENCE DISCHARGED ON HOUSE BILL No. 1065

Mr. JOHNSON. Mr. Speaker, I move that the Committee of Conference on the part of the House be discharged from further consideration of House Bill No. 1065.

The motion was agreed to.

## SENATE MESSAGE

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate adheres to amendments, non-concurred

in by the House of Representatives, to House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

## HOUSE RECEDES FROM NONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1494

Mr. JOHNSON. Mr. Speaker, I move that the House recede from its nonconcurrence and concurs in the amendments made by the Senate to House Bill No. 1494.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hocker,	Miller, H. G.,	Sollenberger,
Breisch,	Hersch,	Miller, J. C.,	Spencer,
Breth,	Hewitt,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			

Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

# COMMITTEE OF CONFERENCE DISCHARGED ON HOUSE BILL No. 1494

Mr. JOHNSON. Mr. Speaker, I move that the Committee of Conference on the part of the House be discharged from further consideration of House Bill No. 1494.

The motion was agreed to.

## SENATE MESSAGE

### SENATE RECEDES FROM AMENDMENTS NON- CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate recedes from its amendments, non-concurred in by the House of Representatives, to House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

# COMMITTEE OF CONFERENCE DISCHARGED ON HOUSE BILL No. 1188

Mr. JOHNSON. Mr. Speaker, I move that the Committee of Conference on the part of the House be discharged from further consideration of House Bill No. 1188.

The motion was agreed to.

## SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1441.

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates increasing the number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, Page 1, line 1, by striking out after the word "amend" the following: "clauses (a) (c) and (d) of sections three hundred seven and three hundred six and section four hundred ten of".

Amend Title, page 2, line 2, by striking out after the word "and" the words "deleting the limitation of" and inserting the words "increasing the".

Section 1, page 3, line 3, by striking out the bracket "(" before the word "for"; line 3, by inserting after the heavy bracket ")" the word "seven"; line 6, by inserting after the heavy bracket ")" the word "thirty"; line 7, by inserting after the heavy bracket ")" the words "twenty dollars"; line 9, by inserting after the heavy bracket ")" the words "twenty thousand"; page 11, by inserting after the heavy bracket ")" the words "twenty dollars"; line

14, by inserting after the heavy bracket ")" the words "ten dollars"; page 3, line 19, by striking out the bracket ")" after the word "disability" and the following: "Sixty-six and two-thirds per centum of the wages of the injured employe after the seventh day of total disability as long as the total disability exists as defined in section three hundred nine but the compensation shall not be more than thirty dollars per week nor less than twenty dollars per week and shall not exceed in the aggregate the sum of twenty thousand dollars if at the time of the injury the employe receives wages of less than twenty dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than ten dollars per week the disabled employe shall continue to receive such compensation during the continuance of total disability after the expiration of a five hundred week period until such time as he becomes entitled to receive periodic payments from any fund or funds contributed to by his employer at which time such compensation shall be reduced by the amount of such payment or payments from such fund or funds nothing in this clause shall require payment of compensation after total disability shall cease".

Amend Section 2, page 14, line 12, by striking out after the word "cents)" the words "seven dollars" and inserting in lieu thereof the following: "six dollars and ninety cents".

Page 15, line 1, by inserting after the word "twenty-" the one "one".

Page 16, line 1, by striking out after the word "Section" the number "2" and inserting in lieu thereof the figure "3".

Section 3, page 17, line 2, by striking out after the word "liability" the word "of" and inserting "as between"; line 6, by striking out after the word "the" the words "compensation paid" and inserting the words "payments made"; line 8, by inserting after the word "proceedings" the following: "in favor of the defendant or carrier not liable in the case".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek.
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Gutendorf,	McCormack,	Sarraf,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstreser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenen,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kilne,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Watkins,



Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

NAYS—1

Waterhouse.

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### REASONS FOR VOTE

Mr. WATERHOUSE filed the following reasons for his vote on House Bills Nos. 1441 and 1442:

My reasons for voting against concurrence on the part of the House in Senate amendments to House Bills 1441 and 1442 are that I object to the removal of the Medical Board as formerly provided in the Workmen's Compensation Act, feeling that it is a definite step backward and a distinct loss to both labor and industry.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1442.

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties by increasing maximum and minimum rates and total amounts and aggregate of compensation and further defining the liability of the employer and the Commonwealth removing the limitation on total disability or death caused by certain occupational diseases eliminating the medical board and its functions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 8, by adding after the word "compensation" the following: "and further defining the liability of the employer and the Commonwealth".

Amend Title, page 2, line 10, by striking out after the word "Commonwealth" the following: "removing the limitation on total disability or death caused by certain occupational diseases and changing time for mailing medical report" and inserting in lieu thereof the following: "removing the limitation on total disability or death caused by certain occupational diseases eliminatnig the medical board and its functions".

Amend Section 1, page 3, line 1, by striking out after the figure "1" the words "Clauses Clauses (a)" and inserting in lieu thereof the words "clauses (a) and e()".

Amend Section 1, page 3, line 16, by striking out after the word "and" the word "clause" and inserting in lieu thereof the word "clauses".

Amend Section 1, page 4, by adding all of lines 19 and 20 and page 5, by adding lines 1 to 8 inclusive, as follows: "(e) Compensation shall not be payable for partial disability due to silicosis anthracos-silicosis or asbestosis compensation shall be payable as otherwise provided in this act for total disability or death caused [solely (as definitely distinguished from a contributory or accelerating cause)] by silicosis anthracos-silicosis or asbestosis when accompanied by active pulmonary tuberculosis".

Amend Section 1, page 5, by striking out all of lines 9 to 14 inclusive, as follows. (c) Compensation shall not be payable for partial disability due to silicosis anthracos-silicosis or asbestosis compensation shall be payable as otherwise provided in this act for total disability or death caused [solely (as definitely distinguished from a contributory or accelerating cause)] by silicosis anthracos-silicosis or asbestosis or by silicosis anthracos-silicosis or asbestosis when accompanied by active pulmonary tuberculosis".

Amend Section 1, page 5, line 18, by striking out the bracket before the word "for" and by inserting after the word "(five)" the word "seven".

Amend Section 1, page 6, line 1, by inserting after the word "(twenty-five)" the word "thirty".

Amend Section 1, page 6, line 3, by inserting before the word "per" the words "twenty dollars".

Amend Section 1, page 6, line 4, by inserting after the heavy bracket ")" the words "twenty thousand".

Amend Section 1, page 6, lines 6 and 7, by inserting after the heavy bracket the words "twenty dollars".

Amend Section 1, page 6, line 9, by inserting after the heavy bracket the words "ten dollars".

Amend Section 1, page 6, line 14, by striking out the bracket after the word "disability" and striking out all of line 14 after the word "disability" and all of lines 15 to 19 inclusive and all of lines 1 to 16 inclusive on page 7, as follows: "Sixty-six and two thirds per centum of the wages of the injured employe after the seventh day of total disability as long as the total disability exists as defined in section three hundred nine but the compensation shall not be more than thirty dollars per week nor less than twenty dollars per week and shall not exceed in the aggregate the sum of twenty thousand dollars if at the time of the disability the employe receives wages of less than twenty dollars per week then he shall receive the full amount of such wages per week as compensation but in no event less than ten dollars per week the disabled employe shall continue to receive such compensation during the continuance of total disability after the expiration of a five hundred week period of disability until such time as he becomes entitled to receive periodic payments from any fund or funds contributed to by his employer at which time such compensation shall be reduced by the amount of such payment or payments from such fund or funds Nothing in this clause shall require payment of compensation after total disability shall cease".

Amend Section 2, page 16, line 16, by striking out at the beginning of the line the words "forty-four dollars and fifty cents" and inserting in lieu thereof the words "forty-five dollars".



Amend Section 2, page 16, line 18, by striking out after the word "and" the words "seventy-five" and inserting in lieu thereof the word "fifty".

Amend Section 2, page 17, line 4, by striking out after the bracket the words "seven dollars" and inserting in lieu thereof the words "six dollars and ninety cents".

Amend Section 2, page 19, line 14, by striking out the brackets enclosing the figures "1951" and striking out after the brackets the figures "1953".

Amend Section 2, page 19, line 18, by striking out the brackets enclosing the figures "1951" and striking out after the brackets the figures "1953" and inserting the following "if disability begins after September 30 1951 the employer shall be liable for sixty per centum of the compensation due and the Commonwealth forty per centum".

Amend Bill, page 20, by striking out all of lines 3 to 20 inclusive and lines 1 and 2 inclusive on page 21, as follows:

"Section 3 Clause (e) of section four hundred of said act is hereby amended to read as follows

#### Section 420

\* \* \* \* \*

(e) After the medical board has completed its inquiry into any case submitted to it it shall file with the board its written report setting forth its findings with respect to the following medical questions

1 Whether or not the claimant contracted or is suffering from the occupational disease alleged and in death cases whether or not death was caused by such disease

2 If the claimant has contracted or is suffering from the occupational disease alleged its opinion as to the extent of the disability suffered by the claimant

3 Findings on such other medical facts as appear warranted by the evidence

The board shall mail a copy of such report and findings to the claimant and to the employer or his their or its insurers [within five (5) days from the date of the filing thereof] at the time the board files its opinion or the board may include a copy of said medical report in its decision" and inserting in lieu thereof the following:

Section 3 Section 401 of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-one (P. L. 125) is hereby further amended to read as follows

Section 401 The term "employer" when used in this article shall mean the employer as defined in article one of this act or his duly authorized agent or his insurer if such insurer has assumed the employer's liability or the State Workmen's Insurance Fund of this Commonwealth if the employer be insured therein

The department shall be deemed a "party in interest" in any proceeding under this article before a referee the board or any court involving any claim for compensation a part of which is payable by the Commonwealth under the provisions of this act

[The term "medical board" shall mean a medical board constituted as provided in section four hundred and two]

Section 4 Sections 402 and 420 of said act are hereby repealed

Section 5 Sections 421 422 and 423 of said act are hereby amended to read as follows

Section 421 All hearings before the board or one or more members thereof [or before the medical board] or before a referee shall be public

Section 422 The board its members and the referees [and the medical board] shall not be bound by the technical rules of evidence in conducting hearings and investigations but all findings of fact shall be based only upon sufficient competent evidence to justify them

If any party or witness resides outside of the Commonwealth or through illness or other cause is unable to testify before the board or a referee [or the medical board] his or her testimony or deposition may be taken within or without this Commonwealth in such manner and in such form as the board may by special order or general rule prescribe the records kept by a hospital of the medical or surgical treatment given to an employee in such hospital shall be admissible as evidence of the medical and surgical

matters stated therein but shall not be conclusive proof of such matters

Section 423 Any party in interest may within twenty days after notice of a referee's award or disallowance of compensation shall have been served upon him take an appeal to the board on the ground (1) that the award or disallowance of compensation is not in conformity with the terms of this act or that the referee committed any other error of law (2) that the findings of fact and award or disallowance of compensation was unwarranted by sufficient competent evidence or was procured by fraud coercion or other improper conduct of any party in interest the board may upon cause shown extend the time provided in this article for taking such appeal or for the filing of an answer or other pleading

In any such appeal the board may disregard the findings of fact of the referee and may examine the testimony taken before such referee and if it deem proper may hear other evidence and may substitute for the findings of the referee such findings of fact as the evidence taken before the referee and the board as hereinbefore provided may in the judgment of the board require and may make such disallowance or award of compensation or other order as the facts so founded by it may require [but the board shall accept as conclusive upon it the findings and conclusions of the medical board]

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando.	Graybill.	Maxwell.	Rovansék.
Andrews.	Greenwood.	Mazza.	Royer.
Banker.	Greer.	McConnell.	Rubin.
Barkdoll.	Guarnieri.	McCormack.	Sarraf.
Baumunk.	Gutendorf.	McCullough.	Sax.
Bear.	Guthrie.	McDermitt.	Scanlon.
Beaver.	Hagerty.	McGee.	Schmidt.
Beech.	Hall.	McInroy.	Schuster.
Berkstresser.	Hamilton, R. K.	McKinney.	Scott.
Blair.	Hamilton, W. H.	McMillen.	Seyler.
Bloom.	Harney.	McNally.	Shoemaker.
Boles.	Haudensfield.	Metz.	Shotwell.
Bolton.	Headlee.	Mihm.	Smith.
Bomberger.	Helm.	Mikula.	Snider.
Bower.	Hersch.	Miller, H. G.	Sollenberger.
Breisch.	Hewitt.	Miller, J. C.	Spencer.
Breth.	Hocker.	Mills.	Stank.
Brown.	Hoggard.	Mintess.	Stimmel.
Bucchin.	Hunter.	Monroe.	Stoner.
Jyrne.	Junkins.	Moore, C. E.	Swartz.
Cella.	Johnson.	Moore, H. A.	Swope.
Clapper.	Jones, G. E.	Moran.	Tahl.
Clendening.	Jones, J. M.	Muldowney.	Taylor.
Cochran.	Jones, P. F.	Munley.	Thompson, E. F.
Conway.	Jones, T. H. W.	Murray.	Thompson, R. L.
Cooper.	Jump.	Musto.	Toll.
Corr.	Kamyk.	Najaka.	Tompkins.
Costa.	Keller.	Naugle.	Toomey.
Joyle.	Kent.	Needham.	VanSant.
Dalrymple.	Kline.	Olsen.	Varallo.
Davis.	Kohl.	Penglase.	Varner.
Dennison.	Kolankiewicz.	Peta.	Verona.
Dougherty.	Kornick.	Petrosky.	Wachhaus.
Dowling.	Kratz.	Pettigrew.	Wargo.
DuBols.	Kubacki.	Pfaff.	Watkins.
Duffy.	Lafore.	Pichney.	Weldner.
Dunn.	Lederer.	Pitzer.	Welsh.
Erb.	Lelsey.	Polaski.	Wescott.
Ewing.	Leonard, L.	Polen.	Westrick.
Fenrich.	Leonard, W. C.	Price, H. W. Jr.	Whalley.
Ferster.	Leonard.	Price, R. A.	Wheeler.
Fillip.	Light.	Readinger.	White.
Filo.	Limper.	Reagan.	Williams.
Firmstone.	Loftus.	Reese.	Wilt.
Flack.	Lopresti.	Reidenbach.	Wood.
Frost.	Lovett.	Reilly, J. M.	Yeakel.
Gaffney.	Lutty.	Rigby.	Yetzer.
Geer.	Lyons.	Riley, R. L.	Young.
Gibson.	Madden.	Robertson.	Ziegler.



Gleason, Good, Goodling,	Madigan, Markley,	Rose, Rosen,	Sorg, Speaker
--------------------------------	----------------------	-----------------	------------------

NAYS—1

Waterhouse.

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 61.

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

SENATE BILL No. 258.

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

SENATE BILL No. 283.

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

SENATE BILL No. 284.

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

SENATE BILL No. 286.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

SENATE BILL No. 405.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of, Warren State Hospital, to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital; and making an appropriation therefor

SENATE BILL No. 465.

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing

SENATE BILL No. 546.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans soldiers sailors marines female field clerks yeoman (female) and nurses

SENATE BILL No. 551.

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

SENATE BILL No. 603.

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor

### SENATE BILL No. 615.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighting vehicles and removal of excess loads [and] prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

### SENATE BILL No. 655.

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court

### SENATE BILL No. 793.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate

### SENATE BILL No. 796.

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any natural

lake or pond which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

SENATE BILL No. 867.

An Act to add section 2315.2 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred

SENATE BILL No. 875.

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg Pennsylvania with private capital the solicitation of such capital and the acceptance of such chapel by the Commonwealth

SENATE BILL No. 877.

An Act fixing the fees and mileage of the coroner in counties of the fourth class

SENATE BILL No. 881.

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County

SENATE BILL No. 882.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County

SENATE BILL No. 884.

An Act to further amend Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by

assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State for registered and unregistered cattle

SENATE BILL No. 899.

An Act to add Section 516.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing attendance of school directors at meetings of educational or financial advantage to the district and providing for the payment of their expenses

SENATE BILL No. 913.

An Act to amend Section 1072.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for creation of the office of associate superintendent in third class districts

SENATE BILL No. 914.

An Act to further amend Section 2518 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by imposing a penalty on school districts for employing substitute teachers where vacancies exist in certain cases

SENATE BILL No. 922.

An Act authorizing and directing the Department of Property and Supplies with the approval of the Governor to remise quitclaim and convey to the Burgess and Town Council of the Borough of Warren Pennsylvania all right title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren providing for the disposition of the proceeds of the sale and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land

SENATE BILL No. 923.

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties



of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by making certain editorial changes

#### SENATE BILL No. 937.

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further providing for refusal to issue and revocation of licenses

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### REPORT FROM COMMITTEE

Mr. GRAYBILL from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 324, entitled:

An Act to further amend Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining "monotrailer," and extending to apply to montrailers the provisions of said act applicable to trailers.

#### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, 1951, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 324, entitled:

An Act to further amend Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by defining "monotrailer" and extending to apply to montrailers the provisions of said act applicable to trailers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1065.

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

HOUSE BILL No. 1188.

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

HOUSE BILL No. 1494.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### ADJOURNMENT

Mr. SHOTWELL. Mr. Speaker, I move that this House do now adjourn until Friday, December 21, 1951, at 12:00 noon.

The motion was agreed to, and (at 10:56 p. m.) the House adjourned.





# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., FRIDAY, DECEMBER 21, 1951.

No. 109.

## SENATE

FRIDAY, December 21, 1951.

The Senate met at 10 o'clock, a. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:  
The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

In the absence of the Chaplain, the gentleman from Berks, DOCTOR RUTH, offered the following prayer:

Almighty and merciful God, this morning as we are drawing toward the close of this Session, we come to Thee, our hearts filled with gratitude that Thy wisdom has enabled us to do as much as we did do. We know that of our own wisdom and ingenuity we cannot do much, but only as we permit ourselves to be guided by Thy thought, by Thy love, can we do the things that are necessary for the welfare of those whom we represent.

We thank Thee for the friendships we have made during this Session. We ask Thee to go with us into our homes, that what we have learned during this year we may apply to our lives for better living in our several communities.

We pray Thy continued blessings upon our State that we may go forward, always standing forth as a beacon light, welcoming those from other lands and from other states to come here and live the life of freedom and the life of plenty, all which we owe to those of our forefathers who came here and out of this wilderness have built this haven. Guide us until we meet again. In the Master's Name, Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. SNOWDEN, further reading was dispensed with, and the Journal was approved.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

## CONTROLLER, BUTLER COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Paul L. Boyd, Mars, Butler County, for appointment as Controller in and for the County of Butler, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 11:30 o'clock a. m., Eastern Standard Time.

Mr. PEELOR. Mr. President, I second the motion.  
The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 21, 1951.

Mr. MALLERY. Mr. President, I second the motion.  
The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

### ALLEGHENY COUNTY

Mrs. Madeline M. Kuhn, Reserve Twp., 2875 Mt. Troy Rd., N. S. Pittsburgh.  
Mrs. Nell P. Morris, Pittsburgh, 1715 Grandview Ave.

## BLAIR COUNTY

P. W. Alberts, Altoona.

## DELAWARE COUNTY

Mrs. Helen A. Stickreth, Chester.  
Edward Leonard Wolf, Yeadon.

## LEHIGH COUNTY

Mrs. Helen Leaser, Allentown.  
Francis F. Ritter, Allentown.

## PHILADELPHIA COUNTY

Miss Rita N. Gosnell, 810 Packard Bldg.  
Miss Doris E. North, 5221 Walnut St.  
J. Earl Rochester, 1616 Walnut St.  
Allen E. Smolen, S. E. Cor. 20th & Jefferson Sts.

## SUSQUEHANNA COUNTY

E. J. Ahearn, Jr., Susquehanna Depot.

JOHN S. FINE.

A motion was made by Mr. WALKER and Mr. MAL-  
LERY, that the Senate do advise and consent to said  
nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provi-  
sions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the  
question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO  
COMMITTEE

He also presented communications in writing from His  
Excellency, the Governor of, the Commonwealth, which  
were read as follows, and referred to the Committee on  
Executive Nominations.

MAJOR GENERAL, PENNSYLVANIA NATIONAL  
GUARD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to  
nominate for the advice and consent of the Senate Richard  
K. Mellon, Ligonier, for appointment as Major General,  
Pennsylvania National Guard, from August 8, 1950, until  
terminated.

JOHN S. FINE.

MEMBER OF THE STATE BOARD OF VETERINARY  
MEDICAL EXAMINERS

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to  
nominate for the advice and consent of the Senate Dr.  
Charles Hollister, Montrose, Susquehanna County, for ap-  
pointment as a member of the State Board of Veterinary  
Medical Examiners, until the third Tuesday of January  
1955, and until his successor shall have been appointed and  
qualified.

JOHN S. FINE.

SENATE CONCURRENT RESOLUTION RECALLING  
SENATE BILL No. 570 FROM THE GOVERNOR

Mr. WOOD offered the following resolution which was  
twice read, considered and agreed to:

In the Senate, December 21, 1951.

Resolved (if the House of Representatives concur),  
that Senate Bill No. 570, Printer's No. 656, entitled "An  
act making an appropriation to the Department of Labor  
and Industry to meet the obligation of the Common-  
wealth to pay a part of the compensation payable for  
certain occupational diseases," be recalled from the Gover-  
nor for the purpose of amendment.

Ordered, That the Clerk present same to the House  
of Representatives for concurrence.

## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bi'l No.  
399, as follows:

An Act to amend Section 11.1 of the act approved the  
twenty-seventh day of June one thousand nine hundred  
twenty-three (P. L. 858) entitled "An act establishing  
a State employees' retirement system and creating a  
retirement board for the administration thereof estab-  
lishing certain funds from contributions by the Com-  
monwealth and contributing State employees defining the  
uses and purposes thereof and the manner of payments  
therefrom and providing for the guaranty by the Com-  
monwealth of certain of said funds imposing powers  
and duties upon the heads of departments in which  
State employees serve excepting annuities allowances  
returns benefits and rights from taxation and judicial  
process and providing penalties" by extending the time  
for the retention of membership in the State Employees'  
Retirement Association by any contributor who ceases  
to be a State employe and a member of the Public  
School Employees' Retirement Association

The General Assembly of the Commonwealth of Penn-  
sylvania hereby enacts as follows

Section 1 Section 11.1 of the act approved the twenty-  
seventh day of June one thousand nine hundred twenty-  
three (P. L. 858) entitled "An act establishing a State  
employees' retirement system and creating a retirement  
board for the administration thereof establishing certain  
funds from contributions by the Commonwealth and con-  
tributing State employees defining the uses and purposes  
thereof and the manner of payments therefrom and pro-  
viding for the guaranty by the Commonwealth of certain  
of said funds imposing powers and duties upon the heads  
of departments in which State employees serve excepting  
annuities allowances returns benefits and rights from  
taxation and judicial process and providing penalties" as  
added by the act approved the thirtieth day of June one  
thousand nine hundred forty-seven (P. L. 1174) is hereby  
amended to read as follows

Transfer to Service under Public School  
Employees' Retirement Association

Section 11.1 Any contributor who ceases to be a State



employee and becomes a public school employee and a member of the Public School Employees' Retirement Association by leaving with the retirement board all of his or her accumulated deductions at the time he or she ceases to be a State employee may retain his or her membership in the State Employees' Retirement Association but without credit under the State Employees' Retirement System for service for which credit is allowed under the Public School Employees' Retirement System and without the right to a disability retirement allowance under the provisions of section twelve of this act and with final salary equal to the average annual salary earnable by the contributor as a State employee for the years of service not exceeding five immediately preceding his or her ceasing to be a State employee. Any person who has heretofore been a contributor and has ceased to be a State employee and at such time becomes a public school employee and a member of the Public School Employees' Retirement Association may restore his or her membership in the State Employees' Retirement Association by repaying to the retirement board on or before the thirty-first day of [December] May one thousand nine hundred [forty-seven] fifty-two the full amount of his or her accumulated deductions at the time of his or her ceasing to be a State employee or any part thereof that may have been heretofore withdrawn. Any such accumulated deductions left with or repaid to the retirement board as long as the contributor continues to be a public school employee and a contributor under the Public School Employees' Retirement Act shall be credited with regular interest thereafter.

Nothing contained in this section shall limit the right of a State employee who has heretofore separated or shall hereafter separate from his or her service as a State employee to become a public school employee and a member of the Public School Employees' Retirement Association to retain or restore his or her rights as a member as they existed at the time of such separation in the manner provided in this act or to return to service as a State employee at any time and to add to such retained or restored rights by further service and further payroll deductions.

Section 2 The provisions of this act shall become effective immediately upon final enactment.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 399

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 399.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Dlehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 400, as follows:

An Act to amend Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as added by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1365) is hereby amended to read as follows:

Transfer to Service under State Employees' Retirement Association

Section 12.1 Any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association by leaving with the retirement board all of his or her accumulated deductions at the time he or she ceases to be a public school employee may retain his or her membership in the Public School Employees' Retirement Association but without credit under the public school employees' retirement system for service for which credit is allowed under the State employees' retirement system and without the right to a disability retirement allowance under the provisions of section thirteen of this act and with final salary equal to the average annual salary earnable by the contributor as a public school employee for the years of service not exceeding ten immediately preceding his or her ceasing to be a public school employee and any person who has heretofore been a contributor and has ceased to be a public school employee and at such time becomes a State employee and a member of the State Employees' Retirement Association may restore his or her membership in the Public School Employees' Retirement Association by repaying to the retirement board on or before the thirty-first day of [December] May one thousand nine hundred [forty-seven] fifty-two the full amount of his or her accumulated deductions at the time of his or her ceasing to be a public school employee or any part thereof that may have been heretofore withdrawn. Any such accumulated deductions left with or repaid to the



retirement board as long as the former contributor continues to be a State employe and a contributor under the State Employees' Retirement Act shall be credited with regular interest thereafter

Nothing contained in this section shall limit the right of a public school employe who has heretofore separated or shall hereafter separate from his or her service as a public school employe to become a State employe and a member of the State Employees' Retirement Association to retain or restore his or her rights as a member as they existed at the time of such separation in the manner provided in this act or to return to service as a public school employe at any time and to add to such retained or restored rights by further service and further payroll deductions

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 400

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 400.

Mr. STEVENSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCresh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 652, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school

employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after Section 11 a new section to read as follows

Section 11.1 Any contributor who has had service in states territories or areas under the jurisdiction of the United States besides this Commonwealth as an employe in any public school or institution for a period of at least one year and who (i) submits proof satisfactory to the retirement board of all or part of such service (ii) files an affidavit in the form prescribed by the retirement board stating that he or she is not entitled to a deferred retirement allowance for such service and in the case of contributors becoming members after the effective date of this amending act that he or she has not forfeited any vested right to a deferred retirement allowance for such service and (iii) pays or agrees to pay as hereinafter provided into the School Employees Retirement Fund an amount equal to the contributions which would have been collected from such contributor for the period of such service had such service been rendered in this Commonwealth at his or her earnable salary for the school year in which application for credit for out-of-state service is made figured at the contributors current percentage of salary deductions together with an additional amount as the equivalent of the contributions of the school district and the Commonwealth on account of such service shall be credited with such years of service for retirement purposes Such credit shall not exceed ten years nor the number of years between the age of the contributor at the time he or she becomes a member and the age at retirement nor the number of years of credited service in this Commonwealth

Application in writing for such credit must be made to the retirement board within three years after the applicant becomes a member of the retirement system or in the case of applicants who are members on the effective date of this amending act within three years from that date

The contributions required to be paid for such service credit may be paid in a lump sum or by installments or by an increased rate of contributions agreed upon by the contributor and the retirement board Installment payments must begin within the period three years from the effective date of this act or before the contributor has completed three years of service in this Commonwealth All such contributions shall be credited in equal amounts to the members annuity savings account and the contingent reserve account if a new entrant or the State Annuity Reserve Account number two if a present employe In the event that a contributor withdraws from the retirement system or retires on superannuation or disability retirement before such contributions are fully paid the employees' annuity and his State annuity shall be credited with the number of years of out of State service or fractional parts thereof for which he has purchased credit to the date of application for retirement Any contributor who has purchased an annuity under the provisions of subsection six point one of section eight of this act may forfeit such annuity and direct that the money paid into the School Employees Retirement Fund therefor be applied to the contributions required by this section



which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 652

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 652.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 798, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees were excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by defining employees of county departments of health created under the local health administration law as state employees extending the time within which State mental hospital employees may become members and within which State employees may become "original members" and permitting additional persons to change from the one one-hundred sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change

The General Asesmbly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (6) of Section 1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a

State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the acts approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 448) the eleventh day of May one thousand nine hundred forty-nine (P. L. 1077) the twentieth day of May one thousand nine hundred forty-nine (P. L. 1476 and 1541) and the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1890) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

\* \* \* \* \*

6 "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania and also all present future or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the Legislature as fixed by law and also all officers and employees of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds also all employees of any single county Department of Health or any joint county Department of Health created under the local Health Administration Law being Act No 315 approved August 24 1951 paid on a yearly or monthly basis and also all officers and employees of the Interstate Commission on the Delaware River Basin and of the Pennsylvania Turnpike Commission as of the date of entering the service of such commissions and of the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission The State Public School Building Authority The General State Authority and of The State Highway and Bridge Authority paid on a yearly or monthly basis if the Interstate Commission on the Delaware River Basin and the Delaware River Joint Commission the Delaware River Joint Toll Bridge Commission the Pennsylvania Turnpike Commission The State Public School Building Authority the General State Authority and The State Highway and Bridge Authority shall agree to contribute and contributes to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employees of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employees of the Commonwealth so long as they remain officers or employees of such public corporation if such public corporation shall agree



to contribute and contributes to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes. But the term "State employee" shall not include those persons defined as employees in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employees of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and Pennsylvania Soldiers' Orphan School as are not members of or who may withdraw from the public school employees' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employees' retirement association and that all service credited as a member of the public school employees' retirement system will be considered as having been rendered as a State employee. The rates of deduction from salaries of such officers and employees to the State Employees' Retirement Fund shall be determined by the age at which the employee began to contribute to the Public School Employees' Retirement Fund.

The term "State employee" shall also include all State officers and employees regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly salary but are paid only upon a per diem basis during legislative sessions and subsequent thereto.

Employees of the respective institutions acquired by the Commonwealth from counties cities wards boroughs townships institution districts and other political subdivisions that are actually used as State mental hospitals under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who as of the effective date of this act are contributors or who on or before the thirty-first day of [December] May one thousand nine hundred [forty-nine] fifty-two become contributors to this fund shall for the purposes of this act be deemed to have been "State employees" from the time they first entered the employ of such institution even though the same may have been prior to the acquisition of the institution by the Commonwealth if such employee shall pay to the retirement association a sum equal to all the back payments which such employee would have made had he or she become a member of the retirement association at the time he or she was first employed by such institution. Such back payments may be spread over a period of years by having the regular payroll deduction of such employee increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed. Any such de-

duction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted. If not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated.

The term "State employee" shall also include State officers and employees regularly employed on a per diem or hourly basis or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis. Regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year. In all cases of doubt the retirement board shall determine whether any person is a State employee as defined in this paragraph and its decision shall be final.

Section 2 Clause nine of Section 1 of said act as last amended by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1476) the twentieth day of May one thousand nine hundred forty-nine (P. L. 1517) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1541) is hereby further amended to read as follows:

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings:

\* \* \* \* \*

9 "Original member" of the retirement association shall mean a State employee who was at any time a State employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before [December] May thirty-first [one thousand nine hundred thirty-five] one thousand nine hundred fifty-two or any State employee who is an employee of any of the respective institutions acquired by the Commonwealth from any county city ward borough township institution district or other political subdivision for actual use as a State mental hospital under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who was at any time an employee of such institution prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred forty-nine or in any case where subsequent to such date the definition of "State employee" has been changed so as to include additional persons not previously classed as State employees or persons not classed as State employees at the time of entering the service of the State but who later became State employees as defined in this act because of a change in employment or method of compensation if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association and he expressly elects to become an "original member".

Any such State employee who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established.

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the person's employment the deductions for the period for which records are not available shall be com-



puted by using the average of the earliest two-year period for which records are available

Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Original member of the retirement association shall also mean any person employed on the effective date of this amendment by the State Board of Law Examiners of the Supreme Court of Pennsylvania who has been continuously so employed since January first one thousand nine hundred and forty and who on the effective date of this amendment is a contributor

Original member of the retirement association shall also mean any person who is a member of the General Assembly on the first day of September one thousand nine hundred forty-seven and who shall elect on or before December thirty-first one thousand nine hundred and forty-seven to become a member of the retirement association as of January first one thousand nine hundred and forty-seven and any person who is a member of the General Assembly on the first day of September one thousand nine hundred forty-nine and who shall elect on or before December thirty-first one thousand nine hundred forty-nine to become a member of the retirement association as of January first one thousand nine hundred forty-nine and any person who is a member of the General Assembly on the first day of September one thousand nine hundred fifty-one and who shall elect on or before the thirty-first day of May one thousand nine hundred fifty-two to become a member of the retirement association as of the first day of January one thousand nine hundred fifty-one

Original member of the retirement association shall also mean any person who was formerly a member of the General Assembly and who on the first day of September one thousand nine hundred forty-nine or who on the first day of September one thousand nine hundred fifty-one is a contributor

Section 3 Subsection nine of Section 8 of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1654) is hereby further amended to read as follows

#### State Employees' Retirement Fund and Accounts

##### Section 8

\* \* \* \* \*

(9) A contributor whether an original member or a new member who is in active service on the first day of June one thousand nine hundred forty-nine may transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class Provided That he completes the transfer on or before the thirty-first day of December one thousand nine hundred and forty-nine

Provided further That a person separated from State service on the first day of June one thousand nine hundred forty-nine who returns to State service after such date and rejoins the retirement association may transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class if such transfer is requested in writing within sixty (60) days from the date of this amendment or the date of return to State service whichever is later Provided also That in the event of such transfer the per centum of salary deductions applicable to such transferred member in the one one-hundredth (1-100) class shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundredth-sixtieth (1-160) class

Where a member has transferred from the one one-hundredth-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided his State annuity upon retirement shall except as hereinafter provided be calculated as follows

(a) For service prior to the time of transfer at the one one-hundredth-sixtieth (1-160) rate

(b) For service subsequent to the date of transfer to the date of retirement at the one one-hundredth (1-100) rate

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundredth-sixtieth (1-160) rate bears to the total time of contribution and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution

A contributor whether an original member or a new member on the first day of June one thousand nine hundred forty-nine and who heretofore has transferred or shall hereafter transfer from the one one-hundredth-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided may on or before the thirty-first day of December one thousand nine hundred forty-nine pay to the retirement association a sum equal to the difference between the sum of the amounts that would have been deducted from his or her payroll each payroll period since he or she became a member if he or she had elected to contribute in the one one-hundredth (1-100) class and the sum of the amounts actually deducted or in lieu of the payment of a lump sum a member transferring as herein provided may pay such sum in installments through payroll deductions Such back payments may be spread over a period of years by having such regular payroll deductions of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated The State annuity upon retirement of any member having made such payments in full shall be the same as though the member had elected to contribute in the one one-hundredth (1-100) class immediately upon becoming a member

Section 4 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?



## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 798

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 798.

Mr. KESSLER. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 800, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing an additional State annuity on retirement for superannuation and providing for minimum retirement allowances in certain cases and appropriations for payment of the costs thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (2) of Section 13 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 13 Retirement for superannuation a contributor shall receive a retirement allowance which shall consist of

(a) A member's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1-160) or one one-hundredth (1-100) of his or her final salary for each year of total service except in the case of members who upon becoming members subsequent to December thirty-first one thousand nine hundred and twenty-four elected or hereafter elect not to make back payments in which case the State annuity shall be calculated only for each year of total service while a member and

(c) In addition thereto if an original member of the retirement association a further State annuity of one one-hundred-sixtieth (1-160) or one one-hundredth (1-100) of his or her final salary for each year of prior service as certified to said original member in the certificate issued to him or her by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty per centum of his or her final salary

(d) In addition thereto an additional State annuity which shall be equivalent to the amount if any by which the employee's annuity is less than the State annuity for service rendered after the thirty-first day of December one thousand nine hundred twenty-three but in no event shall the total State annuity exceed fifty per centum of his or her final salary

(e) In addition thereto in the event of the retirement after ninety days from the effective date of this act of any contributor in the one one-hundredth (1-100) class a further State annuity which shall be equivalent to the amount if any by which the superannuation retirement allowance otherwise payable is less than one thousand two hundred dollars (\$1200) where the contributor has twenty-five years or more of credited service in this Commonwealth or if less than twenty-five years of such service then such proportional amount of such one thousand two hundred dollars (\$1200) as the years of such credited service bear to twenty-five years but in no event shall the total State annuity exceed fifty per centum of his or her final salary

Section 2 Said act is hereby amended by adding after Section 13 thereof a new section to read as follows

## Minimum Allowances for Present Beneficiaries

Section 13.1 (a) Every beneficiary who is receiving either a disability or superannuation retirement allowance under this act as of ninety days after the effective date of this act shall receive in addition to the benefits otherwise provided by this act a further State annuity which shall be equivalent to the amount if any by which such retirement allowance otherwise payable is less than one thousand two hundred dollars (\$1200) annually where the contributor has twenty-five years or more of credited service in this Commonwealth or if less than twenty-five years of such service then such proportional amount of such one thousand two hundred dollars (\$1200) as the years of such credited service bear to twenty-five years

If the whole or any portion of such superannuation retirement allowance is based upon membership in the one one-hundredth-sixtieth (1-160) class then in the calculations relating to the twelve hundred dollar annual minimum an adjustment shall be made as to such superannuation retirement allowance or any portion thereof in the ratio that one one-hundredth (1-100) bears to one one-hundred-sixtieth (1-160) .

In the event that a beneficiary is receiving a reduced superannuation retirement allowance because of having elected an option such additional State annuity if any shall be related to the amount of the full retirement allowance he would have received if no option had been elected and in the event that a beneficiary when entering upon a superannuation retirement allowance has elected an option providing for a survivor annuity and the beneficiary has later died and the survivor beneficiary is in receipt of a survivor annuity then the additional State annuity if any payable to such survivor beneficiary shall be such reduced amount as under the rules is related to the additional State annuity if any which would have been



payable to the retired member if such option had not been elected

(b) The General Assembly shall from time to time appropriate moneys sufficient to make payments under this section based on estimates submitted by the board

Section 3 The provisions of this act shall become effective ninety days after its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 800

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 800.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blaas,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 816, as follows:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in

certain instances requiring suits against the Commission to be brought in Daupin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Gettysburg Extension Act"

Section 2 In order to facilitate vehicular traffic in the southeastern section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the Act approved the 21st day of May 1937 (P. L. 774) and the supplements and amendments thereto is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable and thence in a generally southerly direction to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg to connect with present traffic facilities or other traffic facilities to be provided by the State of Maryland or other governmental agencies together with connecting roads tunnels and bridges and further to issue turnpike revenue bonds of the Commonwealth notes or other obligations payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of any and all construction

Section 3 The turnpike revenue bonds notes or other obligations issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds notes or other obligations shall be payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose All such bonds notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds notes or other obligations The issuance of turnpike revenue bonds notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the power and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals copartnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as herein provided from a connection with the Pennsylvania Turnpike System west of the Susquehanna River to a point on or near the boundary line



between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg and may be constructed as a whole at one time or in sections from time to time as the commission shall determine and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges the cost of all lands property rights rights-of-way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the Commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds notes or other obligations hereinafter authorized Payment of any notes or other obligations shall be considered payment of the cost of the turnpike provided such notes or other obligations were issued for such purpose

Section 5 The exercise by the Commission of the powers conferred by this act in the construction operation and maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6 The Commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the Commission

(b) The Commission may contract and be contracted with in its own name

(c) The Commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the Commission shall be brought only in the proper courts at the County of Dauphin

(d) The Commission shall have an official seal

(e) The Commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employes as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the Commission through the Department of Highways of the Commonwealth and all charges and costs for

such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the Commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employes as the Commission may in its discretion employ

(g) The Commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highway intersected by the turnpike and to change and adjust the lines and grade thereof so as to accommodate the same to the design of such grade separation Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the Commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike

(h) If the Commission shall find it necessary to provide a grade separation or change the site of any portion of any State highway or public road or vacate the same it shall cause it to be reconstructed and restored forthwith at the Commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road or vacate it as the case may be Provided That the method of acquiring the right-of-way and determining damages incurred in changing the location of or vacating such road or State highway shall be ascertained and paid for by the Commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike In such cases the plan of such reconstruction and restoration or vacation shall be submitted to the supervisors of the proper township for approval and in the event of failure of the supervisors to approve the plan then it shall be submitted to the Department of Highways for final approval In the case of State highways the plan shall be submitted to the Department of Highways for its approval

(i) The Commission shall also have authority to petition the court of quarter sessions of the county wherein is situate any public road or part thereof affected by the location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the proceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions

(j) The Commission shall otherwise have all of the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) and any supplements or amendments thereto

(k) Adequate compensation shall be made by the Commission out of funds provided under the authority of this act for damages to all public or private property taken injured or destroyed in carrying out the powers granted by this act or such property may be restored or repaired and placed in its original condition as nearly as practicable as the Commission may deem it expedient in any particular case

Section 7 (a) Each member of the Commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and sufficient funds shall be provided under the authority of this act to meet any liability or obligation incurred in carrying out the provisions of this act

(c) Before the issuance of any turnpike revenue bonds notes or other obligations under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties



of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth providing however that if the turnpike as defined in this act shall be designated by the commission as part of the Pennsylvania Turnpike System as provided in the act approved the fourteenth day of August one thousand nine hundred and fifty-one (Act No 282) The bonds provided for under this section shall no longer be required and if previously delivered may be cancelled

Section 8 (a) The Commission is hereby authorized and empowered to condemn by resolution any lands interests in land property rights rights-of-way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed and the date of such resolution shall be the effective date of condemnation

(b) The Commission is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands interests in land property rights rights-of-way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed whether the same had theretofore been condemned or otherwise upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the Commission and the owner thereof and to take title thereto in the name of the Commission

Section 9 (a) Whenever a reasonable sum representing the damages cannot be agreed upon or whenever the owner is legally incapacitated or unable to convey valid title or is absent or unknown either the Commission acting through the Department of Justice or any owner or owners shall apply to the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties for the appointment of viewers to determine as hereinafter provided the amount of damages resulting from the taking Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the Commission and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights-of-way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary if any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary When ever the viewers shall have ascertained the value of the lands property rights rights-of-way easements or franchise they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days written notice of the time and place of such meeting together with a copy of said report shall be given to the Commission to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such

notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the Commission acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after the final action on the report by the court the Commission acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the Commission shall be taken in the name of the Commission Prior to physical entry upon the land the Commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

The Commission in its discretion may vacate any portion or all of the land condemned either prior to or after physical entry upon the land or any part thereof and prior to final determination of damages In such cases the Commission shall be under no obligation to accept and pay for any property condemned and subsequently vacated Provided however That in any such case the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the Commission and to the owners of the property and may require an undertaking or other security to secure such owners against any and all loss or damages occasioned to the owner from the time of the original condemnation to the time of the modification thereof but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

(b) In addition to the foregoing powers the Commission and its authorized agents and employees may enter upon any lands water and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending Provided however That the Commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities

(c) All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the Commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be



necessary or convenient to the effectuation of the authorized purposes of the Commission including public roads and other real property already devoted to public use

Section 10 Whenever the Commission has condemned any lands rights rights-of-way easements and franchises or interests therein as hereinbefore provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties the Commission shall have the right to immediate possession of the property covered by the bond and may enter thereon in the name of the Commission If the owner lessee or occupier of any of said premises or any building or structure thereon shall refuse to remove his personal property therefrom or give up possession thereof the Commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures

Section 11 (a) The Commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost The principal and interest of such bonds shall be payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the Commission and may be made redeemable before maturity at the option of the Commission at such price or prices and under such terms and conditions as may be fixed by the Commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor The principal and interest of such bonds may be made payable in any lawful medium The Commission shall determine the form of bond including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall bear the facsimile signatures of the Governor and of the chairman of the Commission and the facsimile of the official seal of the Commission shall be affixed thereto attested by the secretary and treasurer of the Commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the Commission In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the Commission may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The Commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth

but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the Commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the Commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter The Commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

(b) The commission is hereby authorized to borrow money from time to time at an interest rate not exceeding six per centum per annum to provide for preliminary or interim financing up to but not exceeding the estimated total cost of the turnpike and to evidence such borrowing by the issuance of turnpike revenue notes or other revenue obligations of the Commonwealth and in its discretion to pledge as collateral for such notes or other obligations turnpike revenue bonds issued under the provisions of this act and to renew any such notes or other obligations from time to time and the payment or retirement of such notes or other obligations shall be considered to be payment of the cost of such project all such notes or other obligations shall be executed by the same persons in the same manner and with the same effect as provided herein for the execution of revenue bonds All such notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or interest thereon except from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such notes or other obligations The issuance of turnpike notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any



form of taxation therefor or make any appropriation for their payment

All state and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business may properly and legally invest any funds including capital belonging to them or within their control in such notes or other obligations or loan any such funds and accept as evidence of the same such notes or other obligations

All such notes or other obligations shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth

Section 12 All moneys received from any bonds notes or other obligations issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds notes or other obligations or the trustee hereinafter provided for in respect of such bonds notes or other obligations

Section 13 In the discretion of the Commission such bonds notes or other obligations may be secured by a trust indenture by and between the Commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenues to be received but shall not convey or mortgage the turnpike or any part thereof Either the resolution providing for the issuance of such bonds notes or other obligations or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders or holders of notes or other obligations as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the Commission in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of bonds notes or other obligations or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the Commission Such indenture may set forth the rights and remedies of the bondholders or holders of notes or other obligations and of the trustee and may restrict the individual right of action of bondholders or holders of notes or other obligations as is customary in trust indentures securing bonds debentures of corporations notes or other obligations In addition to the foregoing such trust indenture may contain such other provisions as the Commission may deem reasonable and proper for the security of bond holders or holders of notes or other obligations All expenses incurred in carrying out such trust indenture may be treated as part of the cost of maintenance operation and repair of the turnpike

Section 14 The accomplishment by the Commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the Commission will be performing essential governmental functions the Commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds notes or other obligations issued by the Commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth

Section 15 The Commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and

to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right-of-way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds notes or other obligations and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds notes or other obligations or by the trust indenture as the same shall become due Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bond notes or other obligations or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds notes or other obligations as such interest shall fall due (2) the principal of the bonds notes or other obligations as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds notes or other obligations or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds notes or other obligations issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance of bonds notes or other obligations or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds notes or other obligations then outstanding may be applied to the purchase or redemption of bonds notes or other obligations All bonds notes or other obligations so purchased or redeemed shall forthwith be cancelled and shall not again be issued.

Section 16 The Commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds notes or other obligations issued under the provisions of this act and then outstanding The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the Commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable

Section 17 Any holder of bonds notes or other obligations issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds notes or other obligations or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike

Section 18 When all bonds notes or other obligations and the interest thereon shall have been paid or sufficient



amount for the payment of all bonds notes or other obligations and the interest to maturity thereon shall have been set aside in trust for the benefit of the holders of such bonds notes or other obligations and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and thereupon the Commission shall be dissolved and all funds of the Commission not required for the payment of the bonds notes or other obligations and all machinery equipment and other property belonging to the Commission shall be vested in the Department of Highways

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 21 All acts and parts of acts inconsistent with this act are hereby repealed

Section 22 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMEDMENTS MADE BY THE HOUSE TO SENATE BILL No. 816

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 816.

Mr. PROPERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DISilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 917, as follows:

An Act to further amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects The purchase of lands for rehabilitation purposes in connection with state institutions and increasing the borrowing capacity of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the Welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interest therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" Clause (D) of which was amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (Act No 375) is hereby further amended to read as follows

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing improving equipping furnishing maintaining acquiring and operating sewers sewer systems and sewage treatment works for State institutions of every kind and character (heretofore or hereafter constructed) public buildings for the use of the Commonwealth an official residence in the City of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth State arsenals armories and military reserves State airports and landing fields State institutions of every kind and character (heretofore or hereafter constructed) additions and improvements to land grant colleges school buildings and the furnishings and equipment thereof for the use of the public schools State highways and bridges toll bridges tunnels and traffic circles on State highways swimming pools and lakes on State land low head dams improvements to river embankments desilting dams impounding basins flood control projects and the purchase of land for rehabilitation purposes in connection with State institutions (any and all the foregoing being herein called



"projects") provided however That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted hereby (other than for the construction improvement and maintenance of bridges) shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have perpetual existence as a corporation  
(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold and use any property real personal or mixed tangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease as lessee with the approval of the Governor any property real personal or mixed or any interest therein for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania and any city county school district or other political subdivision or any agency department or public body of the Commonwealth or land grant college any project at any time constructed by the Authority whether wholly or partially completed and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority whether wholly or partially completed and with the approval of the Governor to sell transfer and convey to the Commonwealth of Pennsylvania any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority

(e) To acquire by purchase lease or otherwise and to construct improve equip furnish maintain repair and operate projects

(f) To make by-law for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates rentals and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair equipping furnishing maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority not exceeding [one hundred seventy-five million dollars (\$175,000,000)] two hundred thirty-five million dollars (\$235,000,000) in the aggregate and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with other connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for carrying on of its business

(k) Without limitation of the foregoing to borrow

money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligation of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

(o) To enter into agreements with the Secretary of Highways of the Commonwealth of Pennsylvania providing for the construction or reconstruction of highways and bridges by the Authority and the acquisition of toll bridges by the Authority under such terms and conditions as may be mutually agreed upon

(p) To acquire by assignment from the Commonwealth contracts which are not completed and which involve constructing improving equipping furnishing maintaining and operating the structures facilities or undertakings similar to those designated herein as projects

Except as otherwise provided by law when projects are to be constructed improved equipped furnished maintained repaired or operated for the use of any department of the Commonwealth as hereinbefore listed in this section no plans or specifications therefor shall be presented for quotations or bids until such plans and specifications shall have been submitted to and approved by the department of the Commonwealth which shall use such projects the Department of Property and Supplies the Department of Labor and Industry and any other department of the Commonwealth having any jurisdiction over the projects so that the project will conform to standards established by these departments

Providing further That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its cities counties school districts or other political subdivisions nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its cities counties school districts or political subdivisions nor shall the Commonwealth or any city county school district or political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 2 Twenty-five million dollars (\$25,000,000) of the increase herein authorized shall be solely for flood control projects

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 917

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 917.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane.	Haluska.	McPherson, Jr.,	Stiefel.
Barr.	Holland.	Meade.	Taylor.
Barrett.	Kephart.	Neff.	Toole.
Berger.	Kessler.	Pechan.	Wade.
Blass.	Lane.	Peel.	Wagner.
Byrne.	Leader.	Probert.	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Dent.	Mallery.	Ruth.	Wolfe.



Diehm,  
DiSilvestro,  
Fleming,  
Freed.

McCreesh,  
McGinnis,  
McMenamin.

Silvert,  
Snowden,  
Stevenson.

Wood,  
Yosko,  
Hare,  
Presiding Officer

# NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate No. 925, as follows:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the nineteenth day of July one thousand nine hundred fifty-one (Act No. 249) is hereby further amended to read as follows

Section 501 Open Seasons After investigation or information otherwise obtained by the commission as to the annual game supply the commission may by appropriate rules and regulations a summary of which shall be published as hereinafter specified fix seasons shooting hours and daily season and possession limits or remove protection and declare an open season or increase reduce or close seasons or increase or reduce bag limits for all species of game birds and game animals throughout the Commonwealth or in any part thereof or limit the number of hunters in any designated area and prescribe the methods of hunting therein when in its opinion such action is necessary to assure the maintenance of an adequate supply of such species or when an unbalanced sex ratio exists which in its opinion should be corrected or when in the opinion of the commission such additional open season will not jeopardize the future supply of game

(c) Resident and Nonresident Hunters' Licenses and Tags for Antlerless Deer If in any year the commission by resolution declares an open season for antlerless deer it shall issue resident and nonresident hunters' licenses and tags for antlerless deer to hunt for or kill such deer at a fee of [one dollar and ten cents] one dollar fifteen cents under such rules and regulations governing the issuance of such licenses and tags as it may deem necessary to limit the number of persons who may hunt for such deer in any county of the Commonwealth provided public notice of such action is given as hereinafter required and Provided however That no applications for antlerless deer licenses received from nonresidents shall be approved or licenses issued except during a period of thirty (30) days immediately preceding the opening date of such antlerless deer season Such licenses and tags may be issued only to holders of resident or nonresident hunting licenses

Resident and nonresident hunters' licenses and tags for antlerless deer shall be issued only [by the Department of Revenue and] by the county treasurers in counties where such deer may be hunted and killed who for that purpose are hereby made agents of the Department of Revenue

For services rendered in collecting and paying over fees and issuing licenses and tags by mail or otherwise such agents may retain the sum of [ten] fifteen cents from the amount paid by each licensee which amount shall be paid into the county treasury except that such agents may retain therefrom any amounts necessary to reimburse them for any expenses including compensation of employees incurred in collecting such fees and issuing such licenses and tags.

[Forty per cent of all antlerless deer licenses and tags shall be made available for issuance by the Department of Revenue The remaining sixty per cent shall be made available for issuance by the county treasurers of the county in which such licenses are to be used]

When such licenses are issued to restrict the number of persons who may hunt antlerless deer in any county of the Commonwealth any citizen of the United States residing within the Commonwealth who is a bonafide owner or lessee of lands which lie within the county declared open to the hunting of said deer or any member of the family or household or regularly hired help of such owner or lessee if such person is a citizen of the United States actually residing upon and cultivating such lands is hereby declared eligible to hunt antlerless deer without a resident hunters' license for antlerless deer upon said property and by and with the consent of the owner thereof upon the lands immediately adjacent and connected with his own lands other than lands owned by or under the control of the Commonwealth

The terms "antlerless deer" and "deer without visible antlers" as used in this subsection or any other provision of the Game Law which this act amends are hereby defined to mean a deer without an antler sometimes called horn the term "antler" as herein used or in any other provision of the Game Law which this act amends meaning the bony growth on the head of deer regardless of its size or development

When the commission adopts and promulgates such rules and regulations relative to resident and nonresident hunters' licenses and tags for antlerless deer it is unlawful for any person other than a landowner or lessee of the county or a member of his household as hereinbefore enumerated to hunt for antlerless deer without a resident or nonresident hunters' license and tag for antlerless deer or to take such deer contrary to the rules and regulations adopted by the commission.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,  
Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 925

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 925.

Mr. ROBINSON. Mr. President, I second the motion.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane.	Haluska.	McPherson, Jr.	Stiefel.
Barr.	Holland.	Meade.	Taylor.
Barrett.	Kephart.	Neff.	Toole.
Berger.	Kessler.	Pechan.	Wade.
Blass.	Lane.	Peelor.	Wagner.
Byrne.	Leader.	Probert.	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Dent.	Mallery.	Ruth.	Wolfe.



Diehm,  
DiSilvestro,  
Fleming,  
Freed,

McCreesh,  
McGinnis,  
McMenamin,

Silvert,  
Snowden,  
Stevenson,

Wood,  
Yosko,  
Hare,  
Presiding Office

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1056

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1056, as follows:

### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1056

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1056, entitled:

"An act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto,' by changing certain penal provisions"

Respectfully submit the following bill as our report:

C. ARTHUR BLASS,  
EDWARD J. KESSLER,  
EUSTACE H. BANE,  
(Committee on the part of the Senate.)  
EDWIN W. TOMPKINS,  
GEORGE A. GOODLING,  
HARRIS G. BRETH,

(Committee on the part of the House of Representatives.)

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 434) is hereby further amended to read as follows

Section 731 Penalties Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

\* \* \* \* \*

(q) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing or assisting to conceal or having in possession [or attempting to hunt for catch take kill

wound or transport] contrary to this article or regulations adopted thereunder by the commission or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk elk hide or any edible part thereof two hundred dollars and in the discretion of the court six months' imprisonment

II Each deer deer hide or any edible part thereof one hundred dollars

III Each bear bear hide or any edible part thereof two hundred dollars

IV Each wild turkey ruffed grouse pheasant quail partridge or woodcock or part thereof twenty-five dollars

V Each raccoon or part thereof twenty-five dollars

VI Each other wild bird or wild animal or part thereof ten dollars

\* \* \* \* \*

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1056

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1056.

Mr. WOLFE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peeler,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 241, as follows:

An Act to amend section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the age range of children prohibited admittance to moving picture theatres during school hours

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 646 Admission of Children to Motion Picture Theatres Whoever being the owner proprietor or lessee or the agent of such owner proprietor or lessee of any moving picture theatre during the term of compulsory attendance of public schools as fixed by the board of school directors in any school district and during the hours and upon the days such schools are in actual session admits or permits entrance into such moving picture theatre of any child [between eight (8) and fourteen (14) years of age] subject to compulsory school attendance laws unless accompanied by a parent or other responsible adult or unless such child presents a permit signed by the teacher of such child allowing such child to be absent from school during school hours and permitting admission to the moving picture theatre shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding ten dollars (\$10) for the first offense and not exceeding twenty-five dollars (\$25) for the second and every subsequent offense and in default of the payment of such fine and costs shall be committed to jail one (1) day for each dollar of fine and costs imposed

Such permit shall be retained by the owner proprietor lessee or agent and shall be preserved for a period of six (6) months

A copy of the provisions of this section shall be posted at a conspicuous place at or near the entrance into every moving picture theatre

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL ON THIRD READING, AMENDMENTS OFFERED, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill. No. 708, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not heretofore served providing for regulation of such service after

approval and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I offer an amendment on behalf of Mr. PEELOR and Mr. YOSKO and myself.

The Clerk read the amendment as follows:

Amend Sec. 2, page 3, line 6, by inserting after the word "Law" the following "Nothing herein contained shall be construed to apply to telephone service furnished by the Rural Electrification Administration."

On the question,

Will the Senate agree to the amendment?

Mr. YOSKO. Mr. President, this bill was before us once before and was recommitted to the Committee on Corporations. When it came before us on June 20, I wrote to the United States Department of Agriculture, Rural Electrification Administration, and asked them for their comments on the merits of the bill, and I received this reply which I will read in support of the amendments. The letter is addressed to me and it is dated June 28, 1951. It reads as follows:

"This is in reply to your letter bringing to our attention H. B. 708 and requesting our comments thereon.

"H. B. 708 would, in effect, repeal Section 1102 (17) of Title 66, Purdon's Pa. Stats. Ann., which exempts from Commission jurisdiction any bona fide cooperative association which furnishes services only to its stockholders or members on a non-profit basis'. The bill, we are informed, has been opposed by the Pennsylvania State Association of Rural Electric Cooperatives which interprets the measure as a move to hamper the extension of rural telephone service through cooperative effort. It is our one view that the bill would contribute nothing towards the expansion and improvement of rural telephone service in your State, and will only make it more difficult for farm groups to obtain for themselves through their cooperative efforts, telephone service which they are unable to obtain elsewhere.

"You may find the attached statement on this matter of Commission jurisdiction over cooperatives of interest.

"We appreciate your communicating with us, and regret that we were unable to respond earlier."

This letter is signed by Charles U. Samenow, Consultant.

Mr. President, I ask the Members of the Senate to vote for the amendment which would exempt the R. E. A. from the provisions of the bill.

Mr. LANE. Mr. President, ever since July when we recommitted this bill I have been in contact with quite a number of the rural telephone companies operating in western Pennsylvania on a cooperative basis, and from the information I have received they tell me that first and foremost most of these small telephone companies operate in the red. Their idea is to give the people in the rural communities some semblance of communication. Now, they are subsidized or they receive money from the R. E. A. in order to expand their facilities. I understand



that this bill does not apply to those that are already in operation, but it is going to hamstring them in the event we pass this legislation, because the large telephone companies, and I am speaking of the Bell Telephone Company in particular, the large telephone companies in western Pennsylvania will not expand their facilities unless there are a certain number of subscribers who are willing to sign up for telephone service.

In addition to that, Mr. President, the subscribers themselves are allocated a certain cost of the construction or the erection of the lines. For example, in my own community I am now paying sixteen dollars a month for the privilege of having a Bell telephone in my home. Now, it is a natural necessity that I have that telephone but the farmers must have some sort of communication and a lot of them cannot afford to pay a price such as that. I know, for example, a small telephone cooperative up in Brave, in Greene County; they operate in the red, but they are trying to expand the facilities and they must have R. E. A. support, and so, if we adopt this amendment, we will be doing the rural folk a favor. If we do not adopt this amendment and we pass this bill, we are voting in favor of monopoly and we are depriving those people of a service which they deserve and which they should have.

Mr. PEELOR. Mr. President, this bill, House Bill No. 708, was before us in July of this year. There it has resposd in committee until suddenly, as of the day before yesterday, this bill appears. Mr. President, I want to acquaint the gentlemen of the Senate with the situation, and I will be as brief as I possibly can.

Mr. President, about 1937, the farmers in the Commonwealth of Pennsylvania were deprived of electric energy for several reasons. In some districts because the companies were not disposed to go in and render service, and in other counties they did not care to accept it at an extremely high price to the farmer. As of the time, there are thirteen cooperative R. E. A. in this State. They serve between sixty and seventy thousand farmers. The electric energy is purchased from the power companies. They do not generate their own power.

Mr. President, in this particular bill, Senator Lane's amendment is to permit rural electrification to extend to the farmer the telephone service which he has been unable to get. The long line service, of course, will be handled by the Bell Telephone Company as in the past. I want to suggest to you, Mr. President and Members of this Senate, that if you do not permit this amendment to go through, you are injuring the farmers of this Commonwealth. As Senator Lane has said, you are giving a monopoly to the telephone companies, and I would ask my colleagues from this side of the house to vote "yes" on the amendment.

And the question recurring,

Will the Senate agree to the amendment?

Mr. LANE. Mr. President, I ask for a roll call.

Mr. PEELOR. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. The Clerk will call the roll. (During the calling of the roll the following occurred:)

Mr. MAHANY. Mr. President, I just recalled the speech I made on this amendment last July when it was before us. So, I have convinced myself that I should now vote "no" on the amendment because of that famous

speech that I made, which at that time seemed to fall on deaf ears.

The PRESIDING OFFICER. The vote on the question: ayes 17, nays 19, and the amendments fall.

The yeas and nays were required by Mr. LANE and Mr. PEELOR and were as follows, viz:

## YEAS—17

Bane,  
Berger,  
Dent,  
Haluska,  
Holland.

Larie,  
Leader,  
McGinnis,  
Neff,

Peelor,  
Robinson,  
Rosenfeld,  
Ruth,

Silvert,  
Stiefel,  
Yosko,  
Hare,  
Presiding Officer

## NAYS—19

Blass,  
Chapman,  
Diehm,  
Kessler,  
Letzler.

Mahany,  
Mallery,  
McCreesh,  
McMenamin,  
Probert,

Snowden,  
Stevenson,  
Taylor,  
Wade,  
Wagner,

Walker,  
Watson,  
Wolfe,  
Wood,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, it has been clearly demonstrated here today that the Members of this Senate are not concerned with the problems of the farmers in the rural communities. They have voted to hamstring them, and it seems to me that these farmers who generally vote Republican should be informed of the position which has been taken here today. I counted the votes that came over. I noticed that some on my side, from the metropolitan areas, are not concerned with the rural communities, and it is just about time that we Members of the Senate, on both sides of the house, get together on problems that will protect our people.

Mr. President, we voted here today for a monopoly in public utilities. We voted here today to deprive the country people of proper communication, and I say to you if we continue along these lines, the people are going to lose confidence in government. There is nothing wrong with those amendments, not a thing, and they were bipartisan amendments, and I say here and now that the Members of this Senate who voted down these amendments are going to live to see the day they regret their action.

Mr. LEADER. Mr. President, during the last month there have been times when we have spent week after week dealing with problems concerning the metropolitan areas in Pennsylvania, but here we are in a few short minutes polishing off something that affects all of rural Pennsylvania. I believe that perhaps the greatest Governor Pennsylvania ever had, Gifford Pinchot, would turn over in his grave if he could see this action here in the Senate today.

You Know, Mr. President, in York County we have a private independent telephone company known as the York Telephone and Telegraph Company, recently being thoroughly checked by the Public Utility Commission here in Harrisburg as a result of complaints from some of our civic groups down there in York County, and it was carried in the public press that there are thousands upon thousands of people in York County who would

like to have telephone service and cannot get it. Now, I think you realize that on the farm we have one of the highest accident rates of any other occupation, and our rates for workmen's compensation, I believe, are second only in the amount of cost to that of mines and mining and quarrying. We do have a high accident rate. We are out in remote areas. We have emergencies, too, and I believe that this measure carries serious implications in believe that this measure carries serious implications in lack of ability of these people in remote areas to get a doctor in case of emergency, to get an ambulance in case of emergency, and I believe that the time has come when the people of the rural areas and the remote areas of Pennsylvania are entitled to the same benefits of our wonderful civilization that most people in our urban areas have.

Mr. President, I want to say that it has been a disappointment to me, a great disappointment, to see that so many of those good gentlemen on the other side of the house who in times past have shown such favorable consideration for people of the rural areas have forgotten them. I might add that it has been a little disappointing to me to see on this side of the house some of my own group forgetting the farmers. I believe it is a bad bill, bad for the rank and file people of the Commonwealth. I believe it is bad for the mothers and prospective mothers in that part of Pennsylvania where they still reproduce not to have telephone service, and I say let us kill this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. PEELOR. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Blass,	Mahanay,	Snowden,	Wagner,
Chapman,	Mallery,	Stevenson,	Walker,
Kessler,	McMenamin,	Taylor,	Watson,
Letzler,	Propert,	Wade,	Wolfe,

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Leader,	Peelor,	Silvert,
Fleming,	McCreesh,	Robinson,	Stiefel,
Haluska,	McGinnis,	Rosenfeld,	Yosko,
Holland,	Neff,	Ruth,	Hare,
Lane,			Presiding Officer

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the question: aye 16, nays 17, and the bill fails of passage.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

# YEAS—16

Blass,	Mahany,	Snowden,	Wagner,
Chapman,	Mallery,	Stevenson,	Walker,
Kessler,	McMenamin,	Taylor,	Watson,
Letzler,	Propert,	Wade,	Wolfe,

# NAYS—17

Bane,	Leader,	Peelor,	Silvert,
Fleming,	McCreesh,	Robinson,	Stiefel,
Haluska,	McGinnis,	Rosenfeld,	Yosko,
Holland,	Neff,	Ruth,	Hare,
Lane,			Presiding Officer

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

## SENATE CONCURRENT RESOLUTION

### RECALLING SENATE BILL No. 765 FROM THE GOVERNOR

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objections? The Chair hears none.

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 21, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 765, Printer's No. 475, entitled "An act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties' by changing the definition of wages as to the rights and obligations of employers and employees where a successor-in-interest has acquired assets of a predecessor," be recalled from the Governor.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

## THIRD READING CALENDAR

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The senate proceeded to the third reading and consideration of House Bill No. 759, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and development of buildings and grounds at Ephrata Cloisters a famous historical shrine belonging to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to preserve protect and develop the historic buildings at Ephrata Cloisters where the preservation program must be continued to avert the deterioration of the old wooden structures and to suitably land-



scape the ground the sum of thirty thousand dollars (\$30,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission to be used for essential exterior and interior repairs at the Ephrata Cloisters at Ephrata Lancaster County Pennsylvania for fencing tree-planting and other necessary landscaping work for the installation of better sanitary facilities for the payment of wages of skilled craftsmen and other workmen for the purchase of materials and equipment for contracted repairs and for the payment of professional fees for architectural supervision

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
Diehm,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed.			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1308, as follows:

Act Act to further amend sections two and seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain State officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further defining the term "municipality" to include joint-county departments of health by defining the term "joint-county health commission" and by providing that joint-county departments of health may join the retirement system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourth

day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain State officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" as last amended by the acts approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 265) the fifth day of June one thousand nine hundred forty-seven (P. L. 434) the twelfth day of June one thousand nine hundred forty-seven (Pamphlet Laws 601) is hereby further amended to read as follows

Section 2 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Board" the Municipal Employees' Retirement Board

"Municipality" a city borough town township county institution district [or] municipal authority or joint-county department of health

"Joint-county health commission" the combined boards of county commissioners of the several counties participating in a joint-county department of health

"Municipal Employee" a person holding an office or position under a municipality an institution supported and maintained by a municipality or under a municipal authority in any capacity whatever employed and paid on a yearly or monthly or per diem basis or employed and paid by the municipality or municipal authority with its funds or through any separate institution supported and maintained through trustees or otherwise by the municipality The term shall not include officers and employees paid wholly on a fee basis

"Member" a municipal employee who has become a member of the Municipal Employees' Retirement System established by this act

"Original Member" a municipal employee who was a municipal employee at the date the municipality by which he is employed joined the retirement system established by this act

"New Member" a municipal employee who first becomes a municipal employee after the date the municipality by which he is employed joined the retirement system established by this act

"Contributor" a municipal employee who has accumulated deductions standing to his credit in the member's account of the fund created by this act

"Beneficiary" a person who was a municipal employee but has retired and is receiving a retirement allowance as provided in this act

"Prior Service" all service as a municipal employee completed at the time the municipality by which he is or was employed elected to join the retirement system established by this act or the same municipality under a prior name or classification unless the municipality has elected to limit to ten years the period of such service

"Prior salary" the annual salary or compensation earned by a municipal employee and paid by the municipality during the year immediately preceding the date the municipality by which he is employed joined the retirement system established by this act In computing prior salary if the amount thereof shall exceed four thousand dollars (\$4,000) it shall for the purpose of this act be limited to four thousand dollars (\$4,000)

"Superannuation Retirement Age" Sixty-five years of age or upwards

"Final Salary" the average annual salary or compensation earned by a municipal employee and paid by the municipality during the last five years immediately pre-



ceding retirement or if not so long employed then the average annual salary or compensation paid during the whole period of such employment. In computing final salary if the amount thereof shall exceed four thousand dollars (\$4,000) it shall for the purpose of this act be limited to four thousand dollars (\$4,000).

"Accumulated Deductions" the total amount deducted from the salary or compensation of the contributor and paid over by the municipality or paid by the municipal employe or from any existing pension or retirement system directly into the retirement fund and credited to the member's account together with regular interest thereon.

"Regular Interest" interest at two and one-half per cent per annum compounded annually and in case of interest earnings in excess of two and one-half per cent shall mean the interest actually earned on investment in any year.

"Municipality Annuity" that portion of the retirement allowance derived from contributions made by the municipality.

"Member's Annuity" that portion of the retirement allowance derived from the accumulated deductions of the municipal employe.

"Retirement Allowance" the municipal annuity plus the member's annuity.

"Fund" the Municipal Employes' Retirement Fund created by this act.

Section 2 Section seven of the said act as last amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (Pamphlet Laws 601) is hereby further amended to read as follows:

Section 7 Election by Municipalities to Join Retirement System Any municipality may elect by ordinance or resolution adopted by the tax levying body or in the case of municipal authorities by the board of such municipal authority or in the case of joint-county departments of health by the joint-county health commission to join the retirement system established by this act. In the case of townships of the second class no such resolution shall be adopted except by unanimous vote of all three supervisors.

In the case of joint-county departments of health the decision to join such retirement system may also be made (1) by a vote of the electors in each participating county on the question of whether the joint-county department of health shall join the retirement system or (2) by a resolution of the county commissioners of one or more of the participating counties and by a vote of the electors in the remaining counties. The county commissioners in any participating county may and upon petition of electors in such county equal to at least ten per centum of the registered electors of the county shall submit the question of whether the joint-county department of health shall join the retirement system to the voters of the county at any municipal or general election in the same manner as other questions are submitted to the electors under the Election Code of the Commonwealth. If in two or more of the participating counties the question of whether the joint-county department of health shall join such retirement system is submitted at an election such question shall be submitted in all such counties in the same year. If all the participating counties vote on the question at an election and the majority of the electors voting on the question in each county vote in favor thereof the joint-county health commission shall adopt a resolution electing to join such system. If one or more of the participating counties elect to join a retirement system by resolution of the county commissioners and the remaining counties elect to join by vote of a majority of the electors voting on the question in each county the joint-county health commission shall adopt a resolution electing to join such system. If the electors of any participating county vote against joining the retirement system then no further action shall be taken by the joint-county health commission or by the participating county for a period of two years.

Any other municipality by action of its tax levying body may and upon petition of electors equal to at least

ten per centum of the registered electors of the municipality shall submit the question of joining such retirement system to the voters of the municipality at any municipal or general election in the same manner as other questions are submitted to the electors under the Election Code of the Commonwealth. If the majority of the electors voting on the question vote in favor thereof the tax levying body shall adopt an ordinance or resolution electing to join such system. If the electors vote against joining the system then no further action shall be taken in the municipality for a period of two years.

A duly certified copy of any such ordinance or resolution electing to join the retirement system shall be filed with the State Employes' Retirement Board until the board created by this act has been established and thereafter with the board created by this act.

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.	-Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silver,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freud,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1381, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Private Trade Schools and prescribing penalties" by further defining "agent" prohibiting agents from representing more than one school clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Clause four of Section 1 subsection (d) of Section 4 and Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Private Trade Schools and prescribing penalties" as last amended or added by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1008) are hereby amended or further amended to read as follows:



Section 1 The following words and phrases of this act shall have the meanings ascribed to them

(4) "Agent" shall mean a person employed by any school as above defined located within or outside this Commonwealth who shall act as [an agent] a salesman [broker or independent contractor] to procure students enrollees or subscribers by solicitation in any form made in a place or places other than the office or place of business of such school

Section 4

(d) No person or persons shall solicit any prospective students within this Commonwealth to enroll in a school or classes located within or outside this Commonwealth unless such school or classes have been approved by the board and unless such person or persons shall apply for and obtain from the board an agent's license in the manner and form prescribed by the board No agent shall be licensed to represent more than one school and no person holding an agent's license shall solicit prospective students to enroll in a school or class other than the one he is licensed to represent

Section 7 Each original application for a school shall be accompanied by a license fee of two hundred dollars (\$200) and each application for the renewal of a license shall be accompanied by a license fee of two hundred dollars (\$200) When an application for a license is submitted after the beginning of the seventh month of the license year the license fee shall be on-half (½) the annual license fee No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction Each application for an agent shall be accompanied by a licensee fee of five dollars (\$5.00) and each application for renewal of license for the agent shall be accompanied by a license fee of five dollars (\$5.00) All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is suspended or revoked Licenses issued under the provisions of this act shall be annual licenses which shall expire on the thirtieth day of June next following the date of their issuance

Section 2 Section 10 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1008) is hereby further amended by adding after clause (17) thereof a new clause to read as follows

Section 10 Under the provisions of this act the board shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the board shall find

Section 18 That the licensee has failed to establish and maintain adequate records of students attendance progress and conduct

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blase,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallory,	Ruth,	Wolfe,
Diehm,	McCreech,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1550, on third reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers

be recommitted to the Committee on State Government.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 1625, on third reading, entitled:

An Act to add section 14.1 and 14.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement and making such changes retroactive in certain cases

be recommitted to the Committee on State Government.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1638, on third reading, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers



and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1662, on third reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

be recommitted to the Committee on State Government.

Mr. FREED. Mr. President, I second the motion.

The motion was agreed to.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1710, as follows:

An Act to further amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by increasing the salary of members of the General Assembly and providing a salary and payment of expenses in the event of annual sessions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the seventh day of July one thousand nine hundred fifty-one (Act No. 212) is hereby further amended to read as follows

Section 1 Be it enacted &c That the salary of the members of the General Assembly shall be [three thousand dollars (\$3,000) for each biennial session and mileage to and from their homes at the rate of five cents per mile circular for each week a member was in actual attendance at the session to be computed by the ordinary mail route between their homes and the capitol of the State The salary of the members of the General Assembly shall be five hundred dollars (\$500) and mileage as aforesaid for each special or extraordinary session lasting less than one calendar month and seven hundred and fifty dollars (\$750) and mileage as aforesaid for each special or extraordinary session lasting one calendar month or more and not

(1) For each regular biennial session five thousand dollars (\$5000)

(2) In the event that regular annual sessions of the General Assembly are provided for by amendment or revision of the Constitution for each regular annual session five thousand dollars (\$5000)

(3) For each extraordinary session lasting less than thirty days eight hundred dollars (\$800)

(4) For each extraordinary session lasting thirty days and more but less than sixty days one thousand two hundred fifty dollars (\$1250)

(5) For each extraordinary session lasting sixty days and more one thousand five hundred dollars (\$1500)

At each regular or extraordinary session members shall be paid mileage to and from their homes at the rate of five cents per mile circular for each week a member was in actual attendance at the session to be computed by the ordinary mail route between their homes and the capitol of the State

No other compensation shall be allowed whatever except each member of the General Assembly shall receive an allowance for clerical assistance and other expenses incurred during his term in connection with the duties of his office in the event of regular biennial sessions the sum of thirty-six hundred dollars (\$3600) for each two year period of service payable nine hundred dollars (\$900) on July 1 of each year and nine hundred dollars (\$900) on November 30 of each year commencing July 1 one thousand nine hundred fifty-one In the event that regular annual sessions of the General Assembly are provided for the amendment or revision of the Constitution such allowance shall be at the rate of two thousand four hundred (\$2400) for each two year period of service payable six hundred dollars (\$600) on July 1 of each year and six hundred dollars (\$600) on November 30 of each year commencing on the first day of July immediately following the ratification and adoption of the constitutional amendment or revision by the electors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—26

Barr,	Holland,	McGinnis,	Ruth,
Blass,	Kessler,	McMenamin,	Silvert,
Dent,	Lane,	Neff,	Stiefel,
Diehm,	Leader,	Peelor,	Wagner,
Fleming,	Mahanay,	Robinson,	Walker,
Freed,	McCreesh,	Rosenfeld,	Watson,
Haluska,			Yosko.

#### NAYS—10

Chapman,	Proper,	Wade,	Wood,
Letzler,	Snowden,	Wolfe,	Hare,
Mallery,	Stevenson,		Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### REASONS FOR VOTE

Mr. LANE. Mr. President, I voted for this bill because if this Session is any criteria, our present salary will work a hardship upon the Members of the House and the Members of the Senate who have to work for a salary. I know quite a number of the Members of the House who could not afford to come down here in the closing days of this Session. That does not do any good for good and efficient government.

Mr. President, as far as this Legislature is concerned, it does not affect me, because we are not in the category of judges and our emoluments cannot be increased during our term of office. I have another Session to serve, but I feel that the Members of the Senate and the Members of the House are entitled to an adequate income, and



that is the only way we are going to administer to good government.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1716, on third reading, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The senate proceeded to the third reading and consideration of House Bill No. 1718, as follows:

An Act to further amend Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal by fixing a further limitation on rates of commission which may be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1597) is hereby further amended to read as follows

Section 21 The registers of wills upon their filing with the Department of Revenue the bond hereinafter required

shall be the agents of the Commonwealth for the collection of the said tax in the case of resident decedents For services rendered in collecting and paying over the same they shall be allowed to retain for their own use upon the gross amount collected during any year rate shall be increased over the rate in effect during the year 1950 the five per centum upon the tax collected if such tax shall amount to a sum of fifty thousand (\$50,000) dollars or less three per centum on the amounts collected in excess of fifty thousand (\$50,000) dollars and not exceeding one hundred thousand (\$100,000) dollars one per centum on the amounts collected in excess of one hundred thousand (\$100,000) dollars and not over two hundred thousand (\$200,000) dollars and one-half of one per centum on the amounts collected in excess of two hundred thousand (\$200,000) dollars and not over one million (\$1,000,000) dollars and one-quarter of one per centum on the amounts collected in excess of one million (\$1,000,000) dollars provided that the total amount to be so retained by such registers of wills for their own use shall not exceed the total sum of ten thousand (\$10,000) dollars during any year provided further that if any tax rate shall be increased over the rate in effect during the year 1950 the foregoing percentages shall be computed as though such increase had not occurred

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amounts made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Elssa,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silver,	Yosko,
DiSilvestro,	McGinnis,	Snowden,	Hare,
Fleming,	McMenamin,	Stevenson,	Presiding Officer
Freed,			

### NAYS—1

Wood,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1742, as follows:

An Act to amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" with respect to the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 Section 24 of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy nine" and all its amendments are hereby repealed provided however that section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) as amended shall remain in full force and effect

Section 2 Said act is hereby amended by adding thereto a new Section 24 to read as follows

Section 24 It shall be the duty of the president secretary or other proper officer of each and every insurance company association or exchange incorporated by or under any law of this Commonwealth except purely mutual beneficial association whose funds for the benefit of members their families or heirs are made up entirely of the weekly monthly quarterly semi-annual or annual contributions of their members and the accumulated interest thereon to make report in writing to the Department of Revenue on or before the fifteenth day of March in each year setting forth the entire amount of premiums premium deposits or assessments received by such company association or exchange during the year ending with the thirty-first day of December preceding whether the said premiums premium deposits or assessments were received in money or in the form of notes credits or any other substitute for money and whether the same were collected in this Commonwealth or elsewhere and every such company association or exchange shall pay into the State Treasury through the Department of Revenue within the time prescribed by law for the payment of State taxes settled by the Department of Revenue in addition to any other taxes to which it may be liable a tax of two per centum upon the gross amount of said premiums premium deposits and assessments received from business transacted within this Commonwealth Provided however That a credit not exceeding sixty per centum of the tax imposed by this act shall be allowed in the payment of said tax for the capital stock and corporate net income taxes paid to the Commonwealth for the same period or the fiscal year ending in said period

Such company association or exchange in reporting for taxation may deduct from the gross premiums premium deposits and assessments all amounts returned on policies cancelled or not taken and all premiums received for re-insurance and mutual companies associations exchanges and stock companies with participating features in addition to the aforesaid deductions may deduct that portion of the advanced premiums premium deposits or assessments returned in cash or credited to members or policyholders whether as dividends earnings savings or return deposits upon the expiration of termination of their contracts and notes or other obligations received by mutual insurance companies to secure contingent premium liabilities to the extent that no assessment has been made and collected against said notes or obligations Provided That hereafter the annual tax upon premiums of insurance companies of other states or foreign governments shall be at the rate of two per centum upon the gross premiums premium deposits and assessments of every character and description received from business done within this Commonwealth within the entire calendar year preceding The penalties for failure to make report and pay the tax as herein required shall be as provided by law

Section 3 This amendment shall be effective as to the tax upon gross premiums premium deposits and assessments received during the calendar year one thousand nine hundred fifty-one and during the calendar year one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—43

Bane,	Freed,	McMenamin,	Taylor,
Barr,	Haluska,	Meade,	Toole,
Barrett,	Holland,	Neff,	Wagner,
Berger,	Kephart,	Pechan,	Walker,
Blass,	Kessler,	Peelor,	Watkins,
Byrne,	Leader,	Robinson,	Watson,
Chapman,	Letzler,	Ruth,	Wolfe,
Crowe,	Mahanay,	Silvert,	Wood,
Dent,	Mallery,	Snowden,	Yosko,
DiSilvestro,	McCreesh,	Stevenson,	Hare,
Fleming,	McGinnis,	Stiefel,	Presiding Officer

#### NAYS—6

Diehm,	McPherson, Jr.	Rosenfeld,	Wade.
Lane,	Propert,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

### SECOND READING CALENDAR

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1604, entitled:

An Act regulating the use of machinery powered by internal combustion engines or motors in coal mines.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### RESOLUTION REFERRED TO COMMITTEE URGING THAT THE JOINT STATE GOVERNMENT COMMISSION STUDY THE GRAND JURY SYSTEM IN PENNSYLVANIA CONDUCTIVE TO REMEDIAL LEGISLATION

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. STIEFEL and MEADE, offered the following resolution which was read as follows:

In the Senate, December 21, 1951.

Whereas the origins of the grand jury system are rooted in the structure of medieval society and have thus outlived their usefulness, and

Whereas the sluggish criminal procedure required by the grand jury system retard the administration of criminal justice and result in heavy expenditures, and

Whereas the Constitution of Pennsylvania requires indictment for every offense (unless presentment is waived by defendant) and thus places on the judicial system of Pennsylvania an antiquated, onerous and expensive requirement, and

Whereas the scope of the grand jury procedure in Pennsylvania embraces numerous minor offenses thus encumbering the administration of criminal law and inviting laxity in the initial searching stages of magisterial levels preceding the indictment process, and

Whereas in many sister states the scope of the grand-



jury procedure has been curtailed by limiting indictments to major offenses only, and

Whereas the antiquated and cumbersome grand-jury system in Pennsylvania is a subject for a long-delayed study and resultant remedial legislation

Now Therefore Be It Resolved that the Senate of the General Assembly of Pennsylvania direct the Joint State Government Commission to initiate a study of the grand-jury system in Pennsylvania conducive to presentation of remedial Legislation in the Regular Session of the General Assembly in 1953.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. STIEFEL. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

#### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Board of Chiropractic Examiners:

Kenfield K. Lane, Meadville, from July 15, 1949, for the term of three years, and until his successor is appointed and qualified.

Stanley Morton, Pittsburgh, from July 15, 1949, for the term of four years, and until his successor is appointed and qualified.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Farview State Hospital, for the term of four years, and until their successors are qualified.

J. Russell Eshback, Bushkill, from March 6, 1950.  
Roy N. Howe, Lake Ariel, from April 17, 1950.  
LeRoy E. Sands, Hawley, from April 17, 1950.  
F. Carroll Krautter, Newfoundland, from April 17, 1950.  
Garfield Thomas, Carbondale, from April 24, 1950.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Millersville State Teachers' College:

Samuel S. Wenger, Paradise, from September 21, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

Guy K. Bard, Ephrata, from September 21, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

Lewis Shoemaker, Kirkwood, from September 21, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

George S. Mann, Millersville, from September 21, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### PERSONAL PRIVILEGE

Mr. SILVERT. Mr. President, I rise on a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Silvert, will state his question of personal privilege.

Mr. SILVERT. Mr. President, yesterday after some debate the Loyalty Oath Bill passed the Senate by a vote of 35 to 9, on Concurrence in House Amendments. The position of nine who voted against this bill can be summed up in one sentence; that where you have a bill that is bad in principle, it is not good no matter how many amendments are offered to it or how it is watered down. I am sure we are all thankful that we have a free press in Pennsylvania and a free press in this Country of ours.

Mr. President, I should like at this time to read into the record an editorial which appeared this morning in the Philadelphia Inquirer dealing with this loyalty oath.

#### "DILUTED OR NOT, PECHAN BILL IS A VICIOUS MEASURE

"On the grounds of confusion alone, the Pechan Bill as passed by the House deserves the Governor's veto. It has been amended so often that few persons can know what is actually in or out of the bill in its present form.

"The sole argument in favor of its adoption left to its supporters is that it has been so watered down by repeated alterations that it ought to be objectionable to nobody at this stage. That is a strange reason for indorsing any proposed legislation.

"Either a law is right in principle, or it is wrong. In the case of the Pechan Bill, the principle of thought control that it would establish is certainly wrong, and dilutions by means of last-minute amendments do not make it right.

"The bill would still require some 277,000 State employes, including 60,000 school teachers, to take an oath of loyalty. The avowed purpose of the oath is to screen subversives out of public office and the schools. But as pro-Communists and other subversives would not scruple to take any oath required of them, this provision becomes meaningless, except as a means of harassing perfectly loyal persons.

"Appointing authorities would be permitted under the bill to conduct whatever investigations they see fit in de-



termining the loyalty of employes. As no standards of loyalty are set up by the proposed statute, the school boards or other appointing officials could set up their own, and use the law as an instrument of persecution and discrimination. Perhaps they would never so use it, but why make it possible?

"Advocates of the bill point out that some of its most objectionable features have been eliminated by amendment. Employes may no longer be discharged on "reasonable doubt," as to their loyalty or on complaints secretly brought. Complaints must be signed, and 'preponderance of evidence' now is required before suspected subversives may be dismissed.

"These are undoubtedly improvements, but they show to what extent supporters of the bill in its original form were ready to go—until public protests stopped them—in forcing State employes to prove themselves innocent of charges of which they would have no knowledge.

"There was never any good reason for a bill of this kind, and watered down or not, it is vicious and un-American, and it ought to be killed off."

**SENATE RESOLUTION REFERRED TO COMMITTEE  
URGING THAT THE JOINT STATE GOVERNMENT  
COMMISSION BE DIRECTED TO STUDY THE FEASIBILITY OF ESTABLISHING A MEDICAL SCHOOL IN  
SCRANTON UNDER ADMINISTRATION OF PENNSYLVANIA STATE COLLEGE.**

Mr. McMENAMIN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. McMENAMIN, offered the following resolution which was read as follows:

In the Senate, December 21, 1951.

Whereas, a Resolution dated January 15, 1951, Senate Concurring Resolution No. 107, the Senate of Pennsylvania was requested to authorize the Joint State Government Commission to study the feasibility of establishing Medical and Dental Schools under the administration of Pennsylvania State College, and

Whereas, by Senate Concurring Resolution dated December 11, 1951, Resolution No. 135, the Senate of Pennsylvania was requested to authorize the establishment of a Joint Committee comprised of three Members of the Senate and three Members of the House of Representatives, to study the feasibility of establishing a School of Medicine in Scranton, and

Whereas, it is appropriate that any study made by the Joint State Government Commission for the purpose of deciding on the desirability of establishing the Medical School under the administration of Pennsylvania State College, also examine the desirability of establishing such Medical School in the Scranton area,

Now Therefore Be It Resolved that when the Joint State Government Commission undertakes its study and survey pursuant to Senate Resolution No. 107, it be directed to particularly survey the feasibility of establishing such a Medical School under the administration of Pennsylvania State College in Scranton.

**REQUEST THAT RULE 39 BE SUSPENDED**

Mr. McMENAMIN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, in objecting to the immediate consideration of this resolution, I would like to advise the gentleman from Lackawanna that there already is a resolution which has crossed the desk, a concurrent resolution, setting up a series of studies recommended by the General Assembly to the Joint State Government Commission. Incorporated in that group is the problem of establishing medical schools in Pennsylvania, and I assure the gentleman that the territory covered by his resolution will be seriously considered when the matter is taken up by the Joint State Government Commission.

I, therefore, Mr. President, object to the immediate consideration of this resolution.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

**SENATE RESOLUTION**

**ALLEGIANCE TO STEVE O'NEILL, MANAGER OF THE  
BOSTON RED SOX**

Mr. McMENAMIN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. McMENAMIN, offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 21, 1951.

Whereas, for the past several years, the outstanding mystery in professional baseball circles has been the inability of the Boston Red Sox's to win the pennant in the American League, in spite of the fact its roster is filled with players of great natural ability, and

Whereas, during the season of 1951 the Boston Red Sox were managed by Steve O'Neill, the distinguished Pennsylvanian and a native son of the storied former Lackawanna Township, otherwise known as Minooka, Lackawanna County, and

Whereas, the management of the Boston American League Club has been fit since the close of the baseball season to replace Steve O'Neill as Manager, in spite of the fact that the said Steve O'Neill is universally acclaimed as a capable and conscientious baseball team Manager.

Now Therefore Be It Resolved that this body, after long and serious deliberation does conclude that whatever the reason the Boston Red Sox were unable to win the pennant in the American League, such failure certainly was not in any way attributed to the managerial tactics of Steve O'Neill and this body does hereby render a vote of confidence in a distinguished Pennsylvanian and son of Minooka—Steve O'Neill.

**RECESS**

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 2:30 o'clock, p. m., Eastern Standard Time.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

**AFTER RECESS**

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

**RULE 21 SUSPENDED FOR REMAINDER OF SESSION**

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be dispensed with for the remainder of the Session.



Mr. WOOD. Mr. President, I second the motion. The motion was agreed to.

### HOUSE MESSAGES

#### SENATE BILL No. 871 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 8, line 6, by inserting after the word "Pittsburgh" and before the word "the," the following: "the city of Clairton"; Amend Section 1, page 8, line 8, by striking out at the end of the line after the word "Dormont" the following: "Greentree" and inserting in lieu thereof, the following: "Green Tree"; Amend Section 1, page 8, line 11, by inserting after the word "Elizabeth" and before the word "part," the following: "Whitehall"; Amend Section 1, page 8, line 15, by striking out after the word "upper" and before the word "and" the following: "St Clair" and inserting in lieu thereof, the following: "Saint Clair"; Amend Section 1, page 9, line 7, by striking out at the end of the line after the word "Blawnox," the following: "reckenridge" and inserting in lieu thereof, the following: "Brackenridge"; Amend Section 1, page 9, line 10, by striking out after the word "Leetsdale" and before the word "Oakmont," the following: "Millvale" and inserting in lieu thereof the following: "Millvale"; Amend Section 1, page 9, line 14, by striking out after the word "Franklin" and before the word "Hampton," the following: "Frazier" and inserting in lieu thereof, the following: "Frazer"; Amend Section 1, page 10, line 4, by striking out after the word "Hills" and before the word "Dravosburg," the following: "Chalfont" and inserting in lieu thereof, the following: "Chalfant."

On the question,

Will the Senate concur in the same?

Mr. WALKER. Mr. President, before making a motion that the Senate do concur in the amendments, I want to explain to the gentlemen of the Senate that the amendments placed in the bill by the House were to include boroughs, townships or other political subdivisions which had been inadvertently left out of the bill, and where there were some misspelled geographical subdivisions, those have been corrected. I have the bill here before me, Mr. President, and I would like the gentleman of the Sen-

ate to examine it so I can make a motion to have the amendments concurred in.

And the question recurring,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 871

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No 871.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—46

Bane,	Freed,	McPherson, Jr.	Stevenson,
Barr,	Haluska,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Dent,	McCreesh,	Ruth,	Watson,
Diehm,	McGinnis,	Silvert,	Wolfe,
Disilvestro,	McMenamin,	Snowden,	Wood,
Fleming,			Yosko,

#### NAYS—3

Leader.	Mallery.	Hare,
		Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 187 RETURNED WITH AMENDMENT

He also returned to the Senate, Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Spreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 9, by striking out before the word "and," the following: "twenty-six thousand dollars (\$26,000)" and inserting in lieu thereof, the following: "twenty-five thousand five hundred dollars (\$25,500)"; Amend Section 2, page 2, by striking out lines 11 and 12, and inserting in lieu thereof, the following: "twenty-five thousand dollars (\$25,000)"; Amend Section 3, page 2, line 15, by striking out before the word "and," the following: "twenty-four thousand dollars (\$24,000)" and inserting in lieu thereof, the following: "twenty-three thousand five hundred dollars (\$23,500)"; Amend Section 3, page 2, by striking out lines 17 and 18, and inserting in lieu thereof, the following: "twenty-three thousand dollars (\$23,000)"; Amend Section 4, page 3, by striking out lines 3 and 4, and inserting in lieu thereof, the following: "eighteen thousand five hundred dollars (\$18,500)"; Amend Section 4, page 3, line 7, by inserting after the word "law" and before the word "in," the following: "all other"; Amend Section 4, page 3, lines 7, 8 and 9, by striking out after the word "districts" in line 7, and before the word "shall" in line 9, the following: "having a population of more than two hundred and fifty thousand and less than one million inhabitants"; Amend Section 4, page 3, by striking out all of line 10, and inserting in lieu thereof, the following: "sixteen thousand dollars (\$16,000)"; Amend Section 4, page 3, by striking out all of lines 11 to 19, inclusive; Amend Section 4, page 4, by striking out all of lines 1 to 5, inclusive; Amend Section 5, page 4, lines 8 and 9, by striking out after the word "receive" on line 8, and before the word "annually" on line 9, the following: "twenty thousand seven hundred dollars (\$20,700)" and inserting in lieu thereof, the following: "twenty thousand dollars (\$20,000)"; Amend Section 7, page 4, lines 16 and 17, by striking out all of line 16 and before the word "and" on line 17, the following: "fourteen thousand three hundred seventy-five dollars (\$14,375)" and inserting in lieu thereof, the following: "fourteen thousand five hundred dollars (\$14,500)"; Amend Section 7, page 4, by striking out all of lines 19 and 20, and inserting in lieu thereof, the following: "fourteen thousand dollars (\$14,000)"; Amend Section 8, page 5, lines 3 and 4, by striking out all of line 3, and before the word "and" in line 4, the following: "fourteen thousand three hundred seventy-five dollars (\$14,375)"; Amend Section 8, page 5, by striking out lines 6 and 7, and inserting in lieu thereof, the following: "fourteen thousand dollars (\$14,000)"; Amend Section 9, page 5, line 12, by striking out after the word "of" and before the word "per," the following: "twenty dollars (\$20)" and inserting in lieu thereof, the following: "thirty-five dollars (\$35)"; Amend Section 13, page 6, lines 17 and 18, by striking out after the numeral 13, the following: "This act shall become effective immediately upon final enactment and inserting in lieu thereof, the following: "the provisions of this act shall become effective the first Monday of January one thousand nine hundred fifty-two."

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 187

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 187.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 765

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 21, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 765, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by changing the definition of wages as to the rights and obligations of employers and employees where a successor-in-interest has acquired assets of a predecessor.

be recalled from the Governor.

#### HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 570

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 21, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

be recalled from the Governor for the purpose of amendment.

#### HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 586

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 21, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 586, entitled:

An Act relating to the administration without the appointment of a guardian, of estates valued at one thousand dollars or less, of weak minded persons, drug addicts, and inebriates; and providing a procedure therefor.

be recalled from the Governor.



# RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1102

He also, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 21, 1951.

Resolved, (If the Senate concur), That House Bill No. 1102, Printer's No. 1039, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims; and providing rights of action to recover such liens if not paid.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

# RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 772

He also, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 21, 1951.

Resolved, (If the Senate concur), That House Bill No. 772, Printer's No. 560, entitled:

An Act to amend the act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30) entitled, "Public School Code of 1949," by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction, and the care, training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children; and making an appropriation.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

# RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1544

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, December 21, 1951.

Resolved, (If the Senate concur), That House Bill No. 1544, Printer's No. 1111, entitled:

An Act imposing a permanent and a temporary State tax on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealer-users and wholesalers to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to

file reports and to compile and retain certain records; requiring registration of vehicles, dealers, and carriers for hire; imposing duties on such persons; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees and providing penalties.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

# REPORT FROM COMMITTEE APPOINTED TO INVESTIGATE CHARGES MADE BY SENATOR JOHN J. HALUSKA

Mr. BERGER. Mr. President, I ask unanimous consent to give a committee report at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, on behalf of the Committee appointed pursuant to Senate Resolution adopted December 4, 1951, to investigate charges made by Senator John J. Haluska of Cambria County, I submit the following report together with the transcript of the testimony taken at the hearing:

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

The Committee appointed pursuant to the Senate Resolution adopted December 4, 1951 to investigate charges made by Senator John J. Haluska of Cambria County met on December 11, 1951 in the State Capitol to take testimony.

In addition to Senator Haluska, Senators John H. Dent, M. Harvey Taylor, Anthony J. DiSilvestro, Wm. J. Lane, Samuel G. Neff and Elmer J. Holland gave sworn testimony at the hearing.

It appeared from the evidence that Senator Haluska had publicly stated at a political meeting on October 14, 1951, in Ebensburg Court House that "he had been offered a bribe if he would abandon his opposition to the proposed State income tax."

Senator Haluska further stated at said meeting: "I was offered enough that I would not have to work for the rest of my life if I would withdraw my opposition to this income tax measure."

These statements were reported in the newspapers and thus brought to the attention of the Members of the Senate.

Subsequently, Senator Haluska refused on the Floor of the Senate, to elaborate on the charges but stated he would do so under oath before a properly constituted committee. The aforesaid Resolution was then adopted by the Senate and a Committee appointed to make an immediate investigation of the charges.

The Committee set December 11 as the date of the hearing and gave public notice thereof as well as notice to Senator Haluska.

When the hearing opened Senator Haluska read a prepared statement in which he further charged that (1) One of the greatest deals involving labor was in the making; and (2) that a certain Senator attempted to coerce him into changing his story.



The ten members appointed pursuant to the aforesaid Resolution were present at the hearing and heard the testimony. When Senator John H. Dent and Senator Samuel G. Neff, both of whom were members of the Committee, were named by Senator Haluska as having been involved in his charges they voluntarily withdrew from the committee and since the hearing have taken no part in its deliberation or in the preparation of this Report.

Much of the testimony presented at the hearing dealt with extraneous matters not connected with the purposes for which this Committee was appointed. Such testimony of extraneous matters is not being considered in this Report except to note that there was nothing in it which we felt reflected upon the integrity of any official or required any further investigation.

This Committee seriously considered all the relevant testimony, and have unanimously arrived at the conclusion that Senator Haluska's charges that he was offered a bribe are not true. The Committee is further of the opinion that the evidence presented has vindicated those accused, and established their innocence.

Senator Haluska said that he concluded there was a wrongful connection between the leadership of the Republican and Democratic Party because the Democratic Floor Leader has stated of the Republican President Pro Tempore during a primary election campaign in July that "it was pathetic to see a man who gave so much service to the people of Pennsylvania now being ridiculed." Senator Haluska felt that this was improper because he could recall of no Republican trying to defend Democrats when they were in trouble during the Earle Administration. This illogical connection of events which occurred more than 12 years apart is illustrative of the irrational and illogical reasoning which exists throughout the testimony of Senator Haluska.

The testimony of Senator Haluska was that the day of this speech "Senator Dent told me that if I should go along with the State income tax, that I would receive 50 State jobs under my control without any local sponsorship." This conversation, said Haluska, took place on the Floor of the Senate at his desk.

Senator Haluska did not divulge this alleged offer until the day of the hearing, and apparently made no reference to it to anybody until his political campaign speech in the Ebensburg Court House approximately 3 months after the alleged happening. He did not divulge to the Committee any reason for this delay.

The charge was specifically and emphatically denied by Senator Dent.

It seems fantastic to the Committee that such an offer would be made. After careful consideration of all the testimony the Committee is unanimously of the opinion that no such offer was made.

The evidence indicates that a meeting was held at Hershey Hotel attended by 9 Senators and 3 State officials, representing both political parties and that for over five hours the fiscal problems of the State government and other legislation pending before the Senate was discussed.

Senator Haluska testified that while attending this meeting Senator Dent, in an effort to get him to vote for the income tax said that "tomorrow morning he (Senator

Haluska) would be sent a check for \$700" for insurance; that he wanted to talk to Senator Taylor about it, but that Senator Dent said, "Johnny, he won't talk to you; you let me handle this boy," and that subsequently Senator Dent said to him that he was wrong "that check is \$750."

Senator Dent testified that no such conversation took place and that he at no time offered Senator Haluska any insurance or jobs, and that at no time was he authorized by anyone connected with the Administration or the Republican Party to offer him, or any other person, insurance or jobs.

Senator Taylor testified that at no time did he offer any jobs or insurance to Senator Dent or authorize him to offer Senator Haluska or any other person any insurance or any jobs. Although Senator Haluska says when Dent came to talk to him he interrupted his conversation with another senator, he was nevertheless unable to call a single corroborating witness to this conversation or to the allegation that Dent and he were standing together talking where they could not be heard by others.

At the hearing while examining Senator Dent, Senator Haluska placed this conversation as having been after dinner, while elsewhere in his testimony he placed it before dinner.

Senator Haluska testified that at this meeting he asked what personal consideration would be shown to Democrats who supported the income tax bill. A number of others present testified that he said, "What is in it for me?"

Thus, in the one point where he might have been corroborated, the witnesses, both Republicans and Democrats who testified on the point, all stated that Haluska's testimony as to what he said was false.

Senator Haluska admitted having made the statement in the Ebensburg Court House speech that he was offered enough that he would not have to work the rest of his life if he would withdraw his opposition to the income tax measure. He said at the hearing that what he referred to in this remark was the insurance and the 50 jobs.

The only way he could receive anything for himself as the result of being able to sponsor 50 people for State jobs would be to make these employees pay him for obtaining their jobs and keeping them on during the three remaining years of the Administration. This he referred to as "job insurance."

He also assumed that they would all give him their personal insurance, and that this along with the insurance he could get from the State, would make it unnecessary for him to "work the rest of his life."

It is, of course, foolish to suggest that even by such reprehensible conduct and the small amount of insurance involved it would be possible to accumulate a sum that would even approach enough to keep a person for the rest of his life. His statement demonstrates the ridiculousness of his charges and the recklessness of his accusations.

It is difficult for the Committee to reconcile the testimony of Senator Haluska made before it, and the speech made by him a few days prior thereto on the Floor of the Senate. The newspapers in discussing this case had suggested that Senator Dent might be mentioned by Haluska in connection with his charges. In attacking the



newspapers on the Senate Floor Senator Haluska said that the newspapers were going out and accusing innocent people, thus leaving the inference that Senator Dent was not involved in his charges.

Senator Haluska's testimony is filled with references to rumors which he himself admits are not supported by any evidence. We see no need to discuss these rumors.

There is no question that labor legislation, as well as fiscal problems, were discussed at the Hershey meeting, but there is nothing in the evidence to substantiate Senator Haluska's charges that there was "a deal" made or attempted. This Committee finds from the testimony that no deal was made or intended and that the discussions were carried on with the purpose of considering pending legislation and bringing the lengthy session to a close.

The meeting at Hershey and the meetings held by certain Democratic Senators with labor leaders were convened with the full knowledge of the leaders of both parties. The Democratic Senators attending these meetings made a full report of them to the Senate Democratic caucus.

Senator Haluska's accusation that Senator Neff attempted to have him change his story is uncorroborated and specifically denied. In no part of his story was there any corroboration.

The Committee is unanimous in its opinion that Senator Neff did not attempt to get Senator Haluska to testify to other than the truth.

Summarizing: the Committee unanimously finds that

(a) the testimony of Senator Haluska that he was offered a bribe is uncorroborated, incredible, inconsistent and in some instances ridiculous.

(b) he was not offered any insurance, jobs or any other thing to vote for any legis'ation.

(c) Senator Haluska specifically absolved the Administration of any connection with his charges.

(d) the accusation that a Senator asked him to testify falsely is not true.

(e) there was no improper action in reference to labor legislation.

It is unfortunate that we cannot undo the harm already done by Senator Haluska through his reckless allegations which received statewide publication.

Senator Haluska told the Committee at the conclusion of the hearing that he had no other witnesses and that having told his complete story he had nothing else to say.

After careful consideration of all of the evidence we find no matters deserving further investigation.

Respectfully submitted this twenty-first day of December, A. D. 1951.

(s) James S. Berger	(s) Albert R. Pechan
(s) John M. Walker	(s) Joseph M. Barr
(s) T. N. Wood	(s) Eustace H. Bane
(s) Fred P. Hare, Jr.	(s) John F. Byrne

#### PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise on a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Cambria, Mr. Haluska will state his question of personal privilege.

Mr. HALUSKA. Mr. President, first of all I request that I be given a copy of the transcript which was presented

to the committee on this problem so that I may have it for my files and have the opportunity to check it and re-check it in the days after the Session is over.

The PRESIDING OFFICER. The Chair directs the request to the Chairman of the Committee. The gentleman will proceed.

Mr. HALUSKA. Mr. President, on this eve of Christmas, I like all of us, trust that I can make my remarks without any bitterness, but I do want the opportunity to clarify my position.

Mr. President, I find no fault with the committee. They acted as they thought fit, certainly not the way I thought they would act. It reminds me of Shakespeare quoting Julius Caesar, when he said, we come here to bury the charges, but not to investigate them, and apparently that is what is taking place today in this report.

Mr. President, certainly I had no witness. At no time did I accuse Governor Fine or the Administration directly of making me an offer, that is true, but the statement I made with reference to the names I mentioned are true. I have no way of proving them. I only told the newspapers that I would mention the names, the places, the dates and the offer. That I have done a public service. At no time did I say I had witnesses or that I was going to prosecute or prosecute. That would be in the hands of the Commonwealth or in the hands of this committee.

Mr. President, the committee passed up literally the labor situation. The transcript should show that I wanted to call as witnesses labor leaders to give their side of the story. They said it was not necessary, so I did not press it. I took it for granted that they realized that a big labor deal was in the making. I could have called various labor leaders and had them tell the committee their story, but it seemed wise for the committee to ignore that and they said that was not necessary.

Mr. President, you know I stood alone for the last several weeks, ignored a great deal by practically all of my colleagues, not so much by the Republican colleagues of mine, but mostly by my Democratic colleagues, but, Mr. President, let me put this into the record. I would rather stand alone and be right than be wrong and be surrounded, and I stood alone and I was right. Righteousness must prevail, the truth will come out and if we are to survive we must follow the truth.

The day will come, I hope, when maybe more may be said about these charges. When I stated that I was asked to change my story, I told the God's truth, and since that time, Mr. President, things have happened that shocked the membership. If need be, I can prove now that certain people have talked to me since my hearing and told me how certain people lied, and not being an attorney, not being up on some of these things, I thought maybe I should set a little trap for some of these conversations. It has been done before in Pennsylvania and I did it. It might be very surprising to some of the Members, in fact all of the Members, to hear a telephone conversation that took place the day after the hearing, mentioning names of men who went down to see my counsel and what they told him. I am not going into that. If the committee sees fit to drop the charges, I am not the prosecuting body. I only made my charges as a public service, and there may be repercussions. There already have been repercussions, and I am not proud of it.

Mr. President, my Democratic colleagues immediately took action to replace me as Whip of that party. That was all right if that was their thought at any time, but, Mr. President, never have I known that such action prevailed within my own Democratic Party. Even the men who were accused under my charges had the opportunity of having a hearing to say their piece. Every man is entitled to his day in court, and my colleagues did not show me the courtesy, but stabbed me in the back. I went to see my daughter at State College, and that was the first caucus I had missed up until that time throughout the entire Session. Without giving me a hearing, regardless of the action taken after the hearing, they stooped to the lowest of low levels by stabbing me in the back and saying, "You are out," not wishing to hear what I had to say, not giving me the opportunity to talk to them after the hearing.

Well, Mr. President, they have had their vengeance. The day will come when it will haunt them and they will bow their heads in shame. I say that I will stand alone but I will stand in the right. They may have consolation by standing in groups and standing wrongly. I am concluding my eighteenth year in Harrisburg and it may be that these are my last words. However, I am running again and I expect to come back, and I shall conduct myself in the same manner of trying to do what I think is right for the people of Pennsylvania. I shall always tell what I know as long as I know that it is true, and what I told this committee was the truth, so help me God. The committee was placed in the position where it was quite difficult, I realize, to definitely decide who was telling the truth and who was not. In one case, according to the report, they took one man's word against the other. However, they deemed it wise to choose me when they said I was asked to change my story. This is a case of two men, no witnesses, but they found fault with me, criticized me and not the man who talked with me. Well, they made their report, they must live with it.

Mr. President, I am going home in a few minutes and I am going home with a clear conscience. I shall enjoy the Christmas Season knowing that I have done something throughout the twelve months that I have been here. If nothing else, Mr. President, I take a lot of credit within my own soul that I played a major part in helping to defeat that vicious income tax which was slated to be imposed upon the people of Pennsylvania, and I feel within my own heart that I played a major part because the bill, I believe, would have passed had it not been for these charges. So, truly and really, there is not bitterness in my heart toward any of my colleagues. I performed a public service and I shall continue, and only wish all of you a Merry Christmas, because I do not carry hatred with me after my job is done.

#### PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise on a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Westmoreland, Mr. Dent, will state his question of personal privilege.

Mr. DENT. Mr. President, I do not intend to get into any discussions here today about anything. A man serves to the best of his ability and does those things that he

thinks are right. Every man is entitled to his opinion. Like everything else in this land, there is a law and a Court, and I submitted my position to the Court. The one thing that no man can ever live down is the accusations of another, and regardless of how often you stand up and testify to your innocence, as long as you live there will be accusing fingers pointed your way. That is the only thing in all this that I dislike. The feelings of bitterness are gone. The reasons for these things, only God can fathom, I cannot, but I am plenty satisfied that when my time comes and I have rolled up my last day on this earth, in the words of the poet who wrote these lines, I will know that I am what I am and nothing else. Nothing I say to you, or nothing I can ever say to anybody, will make me any different than what I am.

"When you get what you want in your struggle for self

And the world makes you king for a day,

Just go to a mirror and look at yourself

And see what THAT man has to say.

"For it isn't your father or mother or wife

Who judgment upon you must pass;

The fellow whose verdict counts most in your life

Is the one staring back from the glass.

"Some people may think you a straight-shootin' chum

And call you a wonderful guy,

But the man in the glass says you're only a bum

If you can't look him straight in the eye.

"He's the fellow to please, never mind all the rest,

For he's with you clear up to the end.

And you've passed your most dangerous, difficult test

If the man in the glass is your friend.

"You may fool the whole world down the pathway of life

And get pats on your back as you pass.

But your final reward will be heartaches and tears.

If you've cheated the man in the glass."

#### PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, this Session has been long and tedious and history will determine whether or not we have legislated for the benefit of the majority of the citizens of this Commonwealth. However, it seems to me that we have been derelict in our duties by not enacting legislation which would control the activities of the legislative engineers who infest the legislative halls here at Harrisburg.

Mr. President, there were quite a number of Bills introduced on this subject; one by Senator Walker and Senator Yoska, and one by Senator Holland and myself. The glaring necessity for this legislation was brought to my attention by the activities of a famous legislative engineer who, I believe, was recently nicknamed the "Chief of the Intelligence Division for the Pennsylvania Railroad." Several days ago I happened to be an eye witness as to the efficiency of this individual when he very cleverly succeeded in defeating the will of the Majority of the Senate and quite a number of the Members of the House of Representatives. As a matter of fact, Mr. Presi-



dent, this information did not come to me second-hand or indirectly, but was direct, and I am very sorry that I cannot name the place, as I must comply with the Rules of the Senate. It seems that we have a rule which prohibits us from mentioning anything which might occur in the other legislative body which is located on Capitol Hill.

The legislation which I am referring to was a safety measure which would have protected the lives of quite a large segment of the railroad employees. I feel that to continue to permit incidents of this kind will cause the populace of this Commonwealth to lose confidence in government. We are elected representatives of the people, under oath to do our duties as we think best and to the dictates of our conscience. However, unfortunately, there are a few members in the legislative halls who are susceptible to pressure and do the bidding of their masters. I notice several of them jump like puppets at the slightest tug from the "Chief of the Intelligence Division of the Pennsylvania Railroad." I say to you, Mr. President, that this is not legislating for the benefit of the people. My reason in making this statement is to call to the attention of the people of Pennsylvania the presence of undue influences which pervade our legislative halls.

#### PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I want to make it clear at the outset that this statement will not condemn or condone the legislative engineers about which Senator Lane so ably discoursed a few moments ago. Very frequently we make good friends of them and they bring us information that we might not otherwise have, but I should like to make it clear at the outset that the matter about which I want to talk is that of studying the fiscal affairs of the State of Pennsylvania and a matter that we have talked about a great deal during this Session, and any reference made to the Federal Government is not made in connection with recent disclosures of irregularities in the Federal Government. I do not want to include that at all in my short discussion.

Mr. President, as I said awhile ago, many of us on both sides of the aisle have talked about a study commission and the desirability of having such a commission or committee, not to investigate the State of Pennsylvania or its government or its administration, but to study trends, expenditures and taxes in the State of Pennsylvania to see or get an idea of where we are going.

Mr. President, very frequently in State Government, as Members of the House of Representatives and as Members of the Senate of Pennsylvania, we get so close to the tree that we do not see the forest. Now, let us keep in mind at the very outset that back twenty years ago during the so-called depression, the total National income of the people, the corporations, the partnerships and all other concerns, the entire National income of America, reached a low of \$39,000,000,000. Last year in January, when the President went before the Congress, he asked for a total budget of \$71,600,000,000. Before the Session of Congress adjourned, the budget had reached the height of \$83,750,000,000, and if you will just calculate quickly

in your minds for a moment, you will realize that that is in excess of \$500, yes, it almost reaches \$600 for each individual, meaning man, woman and child in America, an expenditure which goes far far beyond anything previous. As a matter of fact, we have all read in recent newspapers that the President of the United States, during his tenure of office, has guided the expenditure of more money than all of the thirty-one preceding Presidents of the United States of America.

Now, Mr. President, in 1947 the Congress of the United States provided for a study commission. Later it was set up under the chairmanship and direction of a former President of the opposing party, former President Hoover, and when I say opposing party, I mean a party of a different belief than the administration in power in Washington. It went to work on a nonpartisan basis, and it came up with many many conclusions and a very voluminous report. I will refer to just a very few items in that report. One of the things they found out in government was that one person out of every seven regularly gets a government check today. Figures released early in this year indicated that 60,594 civilians were added to the Federal pay roll in January of 1951. This committee, or the Hoover Commission, was looking for facts. They found in the twenty years of depression, war, international crisis and cold war, the cost of government had gone from \$4,000,000,000 to \$42,000,000,000 even before Korea, while the Federal pay roll rose from 600,000 to two and one-half million employees. Such growth inevitably produced overlapping duplication and waste. They found a hodgepodge of boards, bureaus, commissions, agencies and departments, over 1,800 in all, had been created, and that there were no clear-cut lines defining the duties of one against the duties of the other.

Mr. President, the commission further found that the Federal Government spent \$10.00 on paper work to execute a simple purchase order, yet half the things they bought cost less than \$10.00. The commission further found that your Uncle Sam had \$29,000,000,000 worth of property scattered all over the globe with no clear record of what it was or where it was. It found that Uncle Sam operated 2,000,000 automobiles and trucks, but he could not tell where they were or who ran them.

Mr. President, another thing, the Veterans Administration takes four times as long to pay a veteran's insurance claim than does a private insurance company, although it uses five times as much manpower in the process. They also found huge new Federal hospitals being built next door to existing hospitals where there were neither doctors, nurses, nor patients to fill either, and there just let me inject this one thing. When Governor Fine came before the Joint Session of this Legislature, he pointed out that because of our ambitious program during the previous administration, and I am not now debating whether or not that was a good thing or a bad thing, that there were almost one-fourth of the beds in certain hospitals which were vacant or not occupied for the simple reason that we could not get doctors or nurses. That is in the Governor's Message to the Joint Session, I think under the date of March 29. So much for that, and back to the Federal Government.

Mr. President, in Houston, Texas, the government had

just allocated \$30,000,000 for a new hospital, despite the fact that the Air Force, the Veterans Bureau and the Army and the Navy each had a hospital there at the time and not one of the four existing hospitals were completely occupied. The commission further learned that two rival agencies, the Army Corps of Engineers and the Bureau of Reclamation, under the Department of Agriculture, surveyed sites for a dam less than two miles apart on the same river. Each survey cost the taxpayers of the United States a quarter of a million dollars. Yet these two agencies could not agree on the probable cost of the proposed dam. Their estimates were more than \$75,000,000 apart, and when a third agency was called in to determine which was the most desirable, they decided, or came to the conclusion after the study, that neither one was desirable, yet the half-million dollars had already been expended for the survey.

Further, Mr. President, there were thirty agencies of the government actively engaged in lending, guaranteeing or insuring loans; thirty-four different agencies were engaged in buying land; thirty-seven in compiling statistics; and twenty-eight in administering welfare plans. Twelve thousand full-time Federal employees were looking after 393,000 Indians, or one employee to each thirty-seven Indians.

Mr. President, the Veterans Administration had twenty-four supervisors for twenty-five employees. Another government agency had a fifty-year supply of light bulbs, and a two hundred forty-seven year supply of loose-leaf binders. The commission's findings showed clearly that one dollar of each seven and one-half dollars of Federal cost was being wasted, and can be saved without curtailing but actually improving government's services to the citizens.

Mr. President, the commission ended its work on June 12, 1949. The current savings, because of action of the Congress of the United States, have been about \$3,000,000,000, an amount which will buy 1,500 medium tanks, 1,500 jet fighter planes, 1,500 anti-aircraft guns, 150 heavy bombers, 75 modern submarines and four aircraft carriers. That, Mr. President and my colleagues, gives you a brief gist, a very brief analysis, of what the study commission was able to accomplish for the Federal Government.

Now, Mr. President, I am glad that many Members of the House and the Senate of both political faiths have been interested in a study commission for the State of Pennsylvania. We believe that many similar conditions have crept into State Government, and that by a proper study and with a follow-up with appropriate legislation that much of the taxpayers' money might be saved.

Mr. President, three weeks ago we passed a measure starting in the Senate. We sent it to the House, and there because of petty differences it apparently—I say that advisedly, I am not accusing anyone—was not passed or approved. Instead of that, a bill introduced much before that was amended to conform with the bill passed by the Senate, and it was passed and brought here too late to be given proper consideration, but there is some daylight in the situation. When I say that the situation is a crucial one, I would like to read for the benefit of my colleagues part of the resolution introduced by Senator Snowden, Senator Diehm and myself:

"The Pennsylvania budget has increased from \$570,000,000 in the 1939-41 biennium to total expenditures during the biennium just ended of \$1,313,864,122.05; exclusive of \$440,000,000 paid out in bonus to Veterans of World War II."

In addition to that, Mr. President, this resolution was prepared and introduced in the middle of the year, July 30.

The introduction at the present session of the General Assembly of 138 appropriation bills in the Senate for a total of \$161,182,161.73, and of 119 appropriation bills in the House for a total of \$798,147,003.50, including \$624,115,405.50 in the General Appropriation Bill, indicates no sign of an economy drive, but rather an anxiety on the part of Members of the General Assembly to obtain State funds for institutions and other projects in their own districts in which they hold a particular interest and in which they see at first hand, matters of primary importance."

There is a great deal of other information, Mr. President, in that resolution, and I suggest to the Members that they study it, but the information that I particularly want to bring to the Members today is the fact that in the Conference Report on House Bill No. 1421, because of the insistence of our Chief Executive and his desire to have an impartial, complete and thorough study of the trends, the expenditures and the taxes involved in State Government, on page 5 the committee has recommended an appropriation of \$100,000 for the purpose of this study. Now, when this Conference Report comes before you, I sincerely hope that you will approve that particular item. I think it is a distinct step forward for the State of Pennsylvania. Personally, I would have liked to have seen the study made by a commission entirely independent from the Administration, but we realize, too, that things cannot always be done the way we would like them, and I am sure that the Governor, after his complete survey of the situation, is going to appoint a commission that will bring to this Senate and to the House of Representatives a very complete study and a wealth of information, very necessary to each and every Member of the Legislature.

#### HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL NO. 187

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 187, entitled:

An Act to fix the salaries and compenstaion of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 187



Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 187, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BERGER. Mr. President, I second the motion. The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL NO. 187

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. MEADE, MAHANY and BANE, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 187.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate G. Welles VanCampen, Bushkill, Pike County, for appointment as Justice of the Peace in and for the Township of Lehman, Pike County, until the first Monday of January, 1954, to succeed himself.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF WOODVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Woodville State Hospital, for the term of four years, and until their successors are qualified:

Elmer E. Bauer, Wexford, from August 19, 1949.  
Frank R. S. Kaplan, Pittsburgh, from August 19, 1949.

JOHN S. FINE.

#### SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL NO. 502 FROM THE GOVERNOR

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 21, 1951

Resolved (if the House of Representatives concur), that Senate Bill No. 502, Printer's No. 536, entitled "An act to amend the title and section 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled 'An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith' by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class and exempting public utilities from the obligations imposed in said act" be recalled from the Governor for the purpose of further study.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### OATH OF OFFICE ADMINISTERED TO PRESIDENT PRO TEMPORE FOR THE INTERIM

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the order of business of swearing in the newly elected President pro tempore for the interim.

Mr. WATSON. Mr. President, I second the motion. The motion was agreed to.

Whereupon the oath of office was administered to M. Harvey Taylor as President pro tempore for the interim by Judge William H. Neely, Judge of the Court of Common Pleas of Dauphin County.

#### REMARKS BY THE HONORABLE M. HARVEY TAYLOR

Mr. TAYLOR. Gentlemen of the Senate, I want to thank all of you for the confidence which you have imposed on me in electing me President pro tempore for the interim, and I want to assure you, all of you on both sides of the aisle, that I will do my best to be impartial and fair to all.

Thank you.

#### BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 399, entitled:

An Act to amend Section 11.1 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for the retention of membership in the State Employees' Retirement



ment Association by any contributor who ceases to be a State employe and becomes a public school employe and a member of the Public School Employes' Retirement Association.

Senate Bill No. 400, entitled:

An Act to amend Section 12.1 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process, and providing penalties," by extending the time for the retention of membership in the Public School Employes' Retirement Association by any contributor, who ceases to be a public school employe, and becomes a State employe and a member of the State Employes' Retirement Association.

Senate Bill No. 652, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1035), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing credit for retirement purposes for out-of-state service in certain cases.

Senate Bill No. 798, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time within which State mental hospital employes may become members and within which State employes may become "original members," and permitting additional persons to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change.

Senate Bill No. 800, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of

certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for minimum retirement allowances in certain cases, and appropriations for payment of the costs thereof.

Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing of condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate, projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing flood control projects and increasing the borrowing capacity of the Authority.

Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same; and providing for issuance by county treasurers only.



Whereupon,  
The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### HOUSE MESSAGES

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 609

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 609, entitled:

An Act to further amend Sections 10 and 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 759

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 759, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation, protection and development of buildings and grounds at Ephrata Cloisters, a famous historical shrine belonging to the Commonwealth.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1113

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1113, entitled:

An Act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended "Liquid Fuels Tax Law," by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith.

#### HOUSE CONCURS IN SENATE BILL No. 350

He also returned to the Senate, Senate Bill No. 350, entitled:

An Act to further amend clause two of section 1709 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 431

He also returned to the Senate, Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons, and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State emergency Relief Board," by increasing pensions for the blind.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 824

He also returned to the Senate, Senate Bill No. 824, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1-160) to the one one-hundred-fortieth (1-140) class and to receive the benefits thereof.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 868

He also returned to the Senate, Senate Bill No. 868, entitled:

An Act to amend section 1 of the act approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any department administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed, to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by either department, and setting out the method of procedure therefor," by clarifying the provisions thereof to include periods when licenses are revoked, and periods after violation of laws rules and regulations governing private institutions.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 886

He also returned to the Senate, Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds, where the acknowledgement of such deed or deeds was defective in any respect, or sale thereof not legally returned, if in fact such acknowledgement was taken before any officer duly authorized by law to take acknowledgement, and return duly made at a subsequent term.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 887

He also returned to the Senate, Senate Bill No. 887, entitled:

An Act to amend Section 1, of the act, approved the fourteenth day of May, one thousand eight hundred seventy-four (P. L. 159), entitled "An act relating to compulsory arbitrations," by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 903

He also returned to the Senate, Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expense and changes in connection with capital improvements to the Pennsylvania Training School at Morganza.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 905

He also returned to the Senate, Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 908

He also returned to the Senate, Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 909

He also returned to the Senate, Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 939

He also returned to the Senate, Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1333), entitled "An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committee specifically authorize their selection by the State committees.

with the information that the House has passed the same without amendments.

## NOMINATIONS BY THE GOVERNOR

## NOTARIES PUBLIC

The Secreary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

## CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 21, 1951.

Mr. NEFF. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

## NORTHAMPTON COUNTY

Miss Elizabeth Gigliotti, Easton.

## PHILADELPHIA COUNTY

Harry Minkowsky, 2906 Richmond St.



## WASHINGTON COUNTY

W. B. Williams, Washington.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. NEFF, That the Senate do advise and consent to said nominations,

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreash,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed.			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

## JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas Riley, R. D. 2, Genesee, Potter County, for appointment as Justice of the Peace in and for the Township of Genesee, Potter County, until the first Monday of January, 1954, to fill a vacancy.

JOHN S. FINE.

## MEMBERS OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS TRADE SCHOOL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Thaddeus Stevens Trade School:

Louis B. Bond, Christiana, from August 17, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

Clifford J. Backstrand, Lancaster, from August 17, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

B. W. Luttenberger, Lancaster, from August 17, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

Mrs. Elizabeth D. Stine, Lancaster, from August 17,

1949, until the third Tuesday of January 1955, and until her successor shall have been appointed and qualified.

Samuel E. Dyke, Lancaster, from August 17, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

Theodore M. Ayres, Lancaster, from August 17, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

## MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Millersville State Teachers' College:

Allen P. Brightbill, Jonestown, from September 21, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

David N. Crider, York, from September 21, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

## HOUSE BILL No. 1716 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1716, which went over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1716, on third reading, entitled:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives

be recommitted to the Committee on State Government.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

## HOUSE MESSAGES

## HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 323

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley, and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditure of county funds.

The PRESIDING OFFICER. The Report of the Committee of Conference will be laid on the table.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1142

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1142, entitled:

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

The PRESIDING OFFICER. The Report of the Committee of Conference will be laid on the table.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1224

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

The PRESIDING OFFICER. The Report of the Committee of Conference will be laid on the table.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1397

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

The PRESIDING OFFICER. The Report of the Committee of Conference will be laid on the table.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1582

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

The PRESIDING OFFICER. The Report of the Committee of Conference will be laid on the table.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 323 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table the Report of the Committee of Conference on House Bill No. 323 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 323

The Senate proceeded to the consideration of the re-

port of Committee of Conference on House Bill No. 323, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 323

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 323, entitled: "An act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds."

Respectively submit the following bill as our report:

T. N. WOOD,  
E. B. WATSON,  
(Committee on the part of the Senate.)  
NORMAN WOOD,  
ALBERT W. JOHNSON,  
LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 The sum of thirty thousand dollars (\$30,000) or as much thereof as may be necessary is hereby appropriated to the Department of Agriculture for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes The moneys hereby appropriated shall be apportioned among and paid to the several counties appropriating and expending from the county treasury a sum equal to that received from the Commonwealth for such purpose

Section 2 The funds appropriated under this act shall be available for payment of salaries and wages purchase of supplies and other necessary and pertinent items in accordance with regulations promulgated by the Department of Agriculture under the provisions of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937"

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 323

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 323.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Proper,	Walker,



Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1142 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table the Report of the Committee of Conference on House Bill No. 1142, for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1142

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1142, as follows:

Report of the Committee of Conference on House Bill No. 1142

REPORT OF THE COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1142

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1142, entitled: "A further supplement to the act approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled 'An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges,' making an appropriation for carrying the same into effect."

Respectfully submit the following bill as our report:

T. N. WOOD,

E. B. WATSON,

(Committee on the part of the Senate.)

NORMAN WOOD,

ALBERT W. JOHNSON,

LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

## A Further Supplement

To the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to carry into effect the act of Congress approved July second one thousand eight hundred sixty-two granting public land to the several states for educational purposes and subsequent acts of Congress related thereto and the act of the Legislature of Pennsylvania approved the first day of April one thousand eight hundred sixty-three and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the State to carry the same into effect the sum of

seventeen million five hundred thousand dollars (\$17,500,000) is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred fifty-one to the trustees of The Pennsylvania State College for the following purpose

(1) For the general maintenance of instruction research and extension in the School of Agriculture the Mont Alto State Forest School the School of Engineering the School of the Liberal Arts the School of Home Economics the School of Mineral Industries the School of Chemistry and Physics the School of Education the Graduate School the School of Physical Education and Athletics for the general maintenance of other schools departments offices and services including repairs and improvements to the grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable the sum of seventeen million one hundred and five thousand dollars (\$17,105,000)

(2) For the use of the School of Agriculture for expenditure by the Agricultural Experiment Station for the support of research and investigation directed toward the development and production of superior strains of crops and livestock and to develop more efficient methods of producing and marketing such products the sum of one hundred fifty thousand dollars (\$150,000)

(3) For the maintenance and the support of research and experimental investigation on problems relating to the petroleum industry of the State the sum of fifty thousand dollars (\$50,000)

(4) For the purpose of carrying on research and investigation to discover by-products of anthracite and bituminous coal and uses therefor of developing new scientific chemical industrial domestic and other uses and new and extended markets for anthracite coal and its products and for employing engineers chemists technical experts assistants clerks stenographers and other employes and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation to be used by the School of Mineral Industries under the supervision of the State Department of Mines the sum of seventy thousand dollars (\$70,000) Provided That the moneys appropriated by this clause shall be available and expended only to the extent that a sum equal to fifty per centum of the amount to be expended by the Commonwealth is contributed to The Pennsylvania State College by the members of the anthracite and bituminous coal industry Affidavits evidencing such contributions shall be submitted by the College to the Auditor General

(5) For the support of research and investigation of basic problems affecting the slate and other non-metallic mineral industries the sum of thirty-five thousand dollars (\$35,000)

(6) For the support of research and investigation of long range basic problems affecting the mineral industries the sum of thirty-two thousand five hundred dollars (\$32,500)

(7) For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of fifty-seven thousand five hundred dollars (\$57,500) Provided That no more shall be expended from this item than may be required to match an equal sum contributed to the College by one or more industries for such research and investigation Affidavits evidencing such contributions shall be submitted by the College to the Auditor General

On the question,

Will the Senate adopt the report of the Committee of Conference?

## SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1142

Mr. WALKER. Mr. President, I move that the Senate

adopt the report of the Committee of Conference on House Bill No. 1142.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr	Stiefel,
Barr,	Holland,	Meade,	Taylor.
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Proport,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1224 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table the Report of the Committee of Conference on House Bill No. 1224 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1224

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1224, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1224

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1224, entitled "An act making an appropriation to aid certain school districts."

Respectively submit the following bill as our report:

T. N. WOOD,

E. B. WATSON,

(Committee on the part of the Senate.)

NORMAN WOOD,

ALBERT W. JOHNSON,

LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

An Act making an appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred ninety-eight thousand dollars (\$998,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Super-

intendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof for the two fiscal years beginning June first one thousand nine hundred fifty-one

Section 2 No financial aid shall be given under this act to a school district unless the conditions and provisions set forth in subsection (b) of section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) as amended are complied with

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE ON CON-  
FERENCE ON HOUSE BILL No. 1224

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1224.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Letzler,	Peelor,	Wagner,
Byrne,	Lane,	Proport,	Walker,
Chapman,	Leader,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed.			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1397 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table the Report of the Committee of Conference on House Bill No. 1397 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1397

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1397, as follows.

REPORT OF THE COMMITTEE OF CONFERENCE  
ON HOUSE BILL No. 1397

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1307, entitled: "An act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense."



Respectfully submit the following bill as our report:

T. N. WOOD,  
E. B. WATSON,  
(Committee on the part of the Senate.)

NORMAN WOOD,  
CHARLES C. SMITH,  
HIRAM G. ANDREWS,

(Committee on the part of the House of Representatives.)

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million nine hundred fifty-five thousand dollars (\$3,955,000) or as much thereof as may be necessary is hereby appropriated to the State Council of Civil Defense for the two fiscal years beginning June first one thousand nine hundred fifty-one

(a) A total not to exceed one million two hundred thousand dollars (\$1,200,000) for the purpose of paying salaries wages postage printing and other necessary expenses incurred by said council for its basic civil defense program including administration operation of an aircraft observation and warning system training of key civil defense workers and coordination of local civil defense activities throughout the Commonwealth and

(b) A total not to exceed two million seven hundred and fifty-five thousand dollars (\$2,755,000) to be held in reserve for the purpose of employing temporary workers renting or purchasing outright or with Federal grants-in-aid such equipment materials and supplies as may be required to meet actual disaster or the threat of immediate disaster

The appropriation made under this clause (b) shall be used only upon allocation by the State Council of Civil Defense and approval of the Governor

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 1397

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1397.

Mr. MEADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCressah,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed.			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1582 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table the Report of the Committee of Conference on House Bill No. 1582 for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1582

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1582, as follows:

#### Report of the Committee of Conference on House Bill No. 1582

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1582, entitled: "An act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land."

Respectfully submit the following bill as our report:

T. N. WOOD,  
E. B. WATSON,  
(Committee on the part of the Senate.)

NORMAN WOOD,  
ALBERT W. JOHNSON,  
LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

#### An Act

Making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania and for repairs and improvements to building on such land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and forty thousand dollars (\$140,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to purchase with the approval of the Governor and the Board of Trustees of Thaddeus Stevens Trade School in the name of the Commonwealth from the County of Lancaster that plot of ground formerly used as the Childrens' Home of Lancaster County situate in the City of Lancaster Pennsylvania containing approximately 8 and  $\frac{3}{4}$  acres and having thereon erected a 3 and  $\frac{1}{2}$  story brick dormitory building and two 2 and  $\frac{1}{2}$  story brick dwellings and other appurtenances more fully described as follows

Beginning at a point the corner of East End Avenue and South Ann Street and extending South along Ann Street a distance of 524.8 feet to property of William C. Wagner thence East a distance of 160 feet to a point thence South 440 feet to Dauphin Street thence East along Dauphin Street 306 feet to South Marshall Street thence along South Marshall Street North 964.8 feet to East End Avenue thence along East End Avenue West 466 feet to the place of beginning

Section 2 Such plot of land when purchased shall be added to the lands of the Thaddeus Stevens Trade School The deed of conveyance shall be deposited with the Secretary of Internal Affairs Such land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of twenty thousand dollars (\$20,000) or as much thereof as may be necessary is hereby

specifically appropriated to the Thaddeus Stevens Trade School for the installation of a heating system in the dormitory building on the land authorized to be purchased pursuant to section one of this act and for other repairs and improvements to existing buildings on such land

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1582

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1582.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

#### MEMBERS OF THE BOARD OF TRUSTEES OF THAD- DEUS STEVENS TRADE SCHOOL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Thaddeus Stevens Trade School:

Louis B. Bond, Christiana, from August 17, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

Clifford J. Backstrand, Lancaster, from August 17, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

B. W. Luttenberger, Lancaster, from August 17, 1949,

until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

Mrs. Elizabeth D. Stine, Lancaster, from August 17, 1949, until the third Tuesday of January 1955, and until her successor shall have been appointed and qualified.

Samuel E. Dyke, Lancaster, from August 17, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

Theodore M. Ayres, Lancaster, from August 17, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Millersville State Teachers' College:

Allen P. Brightbill, Jonestown, from September 21, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

David N. Crider, York, from September 21, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate G. Welles VanCampen, Bushkill, Pike County, for appointment as Justice of the Peace in and for the Township of Lehman, Pike County, until the first Monday of January, 1954, to succeed himself.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF WOOD- VILLE STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Woodville State Hospital, for the term of four years, and until their successors are qualified:

Elmer E. Bauer, Wexford, from August 19, 1949.

Frank R. S. Kaplan, Pittsburgh, from August 19, 1949.

JOHN S. FINE.

#### MEMBER OF THE BOARD OF TRUSTEES OF MANS- FIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 20, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Olin W. Evans, Wilkes-Barre, for appointment as a member of the Board of Trustees of Mansfield State Teachers' College, from May 6, 1949, until the third Tuesday of



January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### MEMBER OF THE PENNSYLVANIA BOARD OF PAROLE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 20, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Major Henry Clarke Hill, Harrisburg, Dauphin County, for reappointment as a member of the Pennsylvania Board of Parole, for a term of four years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 20, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Addison I. Hixon, R. D. 1, Eightyfour, Washington County, for appointment as Justice of the Peace in and for the Township of Nottingham, Washington County, until the first Monday of January, 1954, to fill a vacancy.

JOHN S. FINE.

#### MEMBER OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Charles Hollister, Montrose, Susquehanna County, for appointment as a member of the State Board of Veterinary Medical Examiners, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE

#### MAJOR GENERAL, PENNSYLVANIA NATIONAL GUARD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard K. Mellon, Ligonier, for appointment as Major General, Pennsylvania National Guard, from August 8, 1950, until terminated.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Millersville State Teachers' College:

Samuel S. Wenger, Paradise, from September 21, 1949, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

Guy K. Bard, Ephrata, from September 21, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

Lewis Shoemaker, Kirkwood, from September 21, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

George S. Mann, Millersville, from September 21, 1949, until the third Tuesday of January 1953, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Farview State Hospital, for the term of four years, and until their successors are qualified:

J. Russell Eshback, Bushkill, from March 6, 1950.

Roy N. Howe, Lake Ariel, from April 17, 1950.

LeRoy E. Sands, Hawley, from April 17, 1950.

F. Carroll Krautter, Newfoundland, from April 17, 1950.

Garfield Thomas, Carbondale, from April 24, 1950.

JOHN S. FINE.

#### MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Board of Chiropractic Examiners:

Kenfield K. Lane, Meadville, from July 15, 1949, for the term of three years, and until his successor is appointed and qualified.

Stanley Morton, Pittsburgh, from July 15, 1949, for the term of four years, and until his successor is appointed and qualified.

JOHN S. FINE.

#### CONTROLLER, BUTLER COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul L. Boyd, Mars, Butler County, for appointment as Controller in and for the County of Butler, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. DIEHM, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,  
A motion was made by Mr. WATSON and Mr. DIEHM,  
That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of the Honorable Francis B. Haas, for re-appointment as Superintendent of Public Instruction.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The nomination was read as follows:

## SUPERINTENDENT OF PUBLIC INSTRUCTION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Francis B. Haas, Harrisburg, Dauphin County, for re-appointment as Superintendent of Public Instruction, for a term of four years, to compute from August 23, 1951.

JOHN S. FINE.

## CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

Whereupon,

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,

Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Milo Frederick Draemel, for appointment as Secretary of Forests and Waters.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The nomination was read as follows:

## SECRETARY OF FORESTS AND WATERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, January 16, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

Milo Frederick Draemel, Wynnewood, Montgomery County, for appointment as Secretary of Forests and Waters, to serve until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

## CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

Whereupon,

A motion was made by Mr. WATSON and Mr. TAYLOR,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

Mr. MALLERY. Mr. President, on the nomination of Milo F. Draemel for Secretary of Forests and Waters, I wish to state for the record my reason for my vote.

Mr. President, I intend to vote for his confirmation for the reason that I have always believed that the Governor is entitled to have in his Cabinet anyone he sees fit to appoint, and that the Members of the Senate have no right to oppose such nomination if the nominee is morally fit and qualified to hold the office. However, I have received numerous petitions from Huntingdon County, which is one of the counties in my Senatorial District, calling upon me to not vote for his confirmation. I believe their grievances are real, but I do believe that I can best aid them in solving these matters by voting for the confirmation of Admiral Draemel as Secretary of Forests and Waters.

And the question recurring,

Will the Senate agree to the motion?

(During the calling of the roll the following occurred:)



Mr. WALKER. Mr. President, I have no desire to embarrass any Member of this Senate, but under our Rules if a Senator is present during a roll call he must vote.

### REASONS FOR VOTE

Mr. DiSILVESTRO. Mr. President, I am voting "no" because it is my belief that the man is not qualified.

Mr. LANE. Mr. President, being forced to vote, I will vote "aye."

Mr. WOLFE. Mr. President, I desire to be recorded as voting "no."

Mr. BARR. Mr. President, I do not want to seem facetious, but I do not think the point is well taken. I think that the Rules say on the final vote on a bill that the "yeas" and "nays" must be taken by the Chair, but I do not think this applies to the question of confirmation.

The PRESIDING OFFICER. The ruling of the Chair is that a Senator must vote if present.

Mr. BARR. Mr. President, on confirmations?

The PRESIDING OFFICER. Yes, on confirmations.

### REASONS FOR VOTE

Mr. YOSKO. Mr. President, being compelled to vote, since the Governor, I understand, wants him, and he is entitled to name his own official family, I will vote "aye."

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—26

Berger,	Kephart,	Probert,	Wade,
Blass,	Kessler,	Rosenfeld,	Wagner,
Byrne,	Lane,	Ruth,	Walker,
Chapman,	Mallery,	Silvert,	Watson,
Diehm,	McGinnis,	Stiefel,	Wood,
Fleming,	Meade,	Taylor,	Yosko,
Freed,	Pechan,		

#### NAYS—14

Barr,	Letzler,	Neff,	Wolfe,
Dent,	Mahany,	Snowden,	Hare,
DiSilvestro,	McCreesh,	Stevenson,	Presiding Officer
Leader,	McMenamin,	Watkins,	

Less than two-thirds of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

### HOUSE MESSAGES

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL

#### BILL No. 187 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court

of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.

and has appointed Messrs. KENT, TOMPKINS and ANDREWS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

#### SENATE BILL No. 344 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 344, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people, as well as family groups, industrial workers and others.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 344, entitled

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people, as well as family groups, industrial workers and others.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 2, by striking out before the word "or," the following: "One hundred thousand dollars (\$100,000)" and inserting in lieu thereof, the following: "One hundred twenty-five thousand dollars (\$125,000)"

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 344

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 344.

Mr. WOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 455 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 455, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 455, entitled

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 1, lines 1 and 2 by striking out after the word "of" in line 1, and all of line 2, the following: "three hundred thousand dollars (\$300,000)" and inserting in lieu thereof, the following: "three hundred fifty thousand dollars (\$350,000)."

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 455

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 455.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 162 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 162, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 162, entitled

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 2, by striking out before the word "is," the following: "one hundred fifteen thousand dollars (\$115,000)" and inserting in lieu thereof, the following: "one hundred twenty-six thousand five hundred dollars (\$126,500)."

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 162

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 162.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL NO. 548 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations



therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-one.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-one.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, by striking out all of line 2, and inserting in lieu thereof, the following: "eighty-seven million one hundred thousand dollars (\$87,100,000)"; Amend Section 5, page 4, by striking out after the numeral "5" all of lines 15 to 20, inclusive; Amend Section 5, page 5, by striking out lines 1 to 9, inclusive, and inserting in lieu thereof, the following: "out of moneys appropriated by section one of this act not over one-half of one per centum thereof may be used under the direction of the Governor for surveys investigations and studies relative to the more efficient enforcement of the Public Assistance Laws."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 548

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 548.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL NO. 865 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease, and the determination of measures for control and eradication.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease, and the determination of measures for control and eradication.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 1 of the Title, by striking out after the word "of" and before the word "for", the following: "Forests and Waters" and inserting in lieu thereof, the following: "Agriculture"; Amend Section 1, page 1, lines 1 and 2, by striking out after the word "of" in line 1, and before the word "or" in line 2, the following: "twenty-five thousand dollars (\$25,000)" and inserting in lieu thereof, the following: "fifty thousand dollars (\$50,000)"; Amend Section 1, page 2, line 2, by striking out after the word "of" and before the word "for", the following: "Forests and Waters" and inserting in lieu thereof, the following: "Agriculture"; Amend Section 1, page 2, line 8, by inserting after the word "purposes," the following: "The survey shall be undertaken by the Department of Agriculture with the cooperation of the Department of Forests and Waters and the Pennsylvania Game Commission the research study shall be performed by the Agricultural Experimental Stations affiliated with the Land Grant College of the Commonwealth."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 865

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 865.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Warr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Pechan,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Robinson,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL NO. 885 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 1 of the Title, by striking out after the word "amend" and before the word "of," the following: "Section 608" and inserting in lieu thereof, the following: "Subsection (B) of Section 501," Amend Section 1, page 2, line 1, by striking out after the numeral "1", and before the word "of," the following: "Section 608" and inserting in lieu thereof, the following: "Subsection (B) of Section 501," Amend Section 1, page 2, line 4, by inserting after the quotes at the end of the line, the following: "as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 810)"; Amend Section 1, page 2, line 5, by inserting after the word "hereby" and before the word "amended," the following: "further"; Amend Section 1, page 2, by striking out all of lines 6 to 12, inclusive, and inserting in lieu thereof,

the following: "Section 501 Open seasons after investigation or information otherwise obtained by the commission as to the annual game supply the commission may by appropriate rules and regulations A summary of which shall be published as hereinafter specified fix seasons shooting hours and daily season and possession limits or remove protection and declare an open season or increase reduce or close seasons or increase or reduce bag limits for all species of game birds and game animals throughout the Commonwealth or in any part thereof or limit the number of hunters in any designated area and prescribe the methods of hunting therein when in its opinion such action is necessary to assure the maintenance of an adequate supply of such species or when an unbalanced sex ratio exists which in its opinion should be corrected or when in the opinion of the commission such additional open season will not jeopardize the future supply of game \* \* \* \* \* (B) Raccoons not to be trapped exceptions removal of protection etc Except in defense of person or property it is unlawful for any person ot take or attempt to take raccoons through the use of traps or deadfalls except in such county or counties as the commission may by proper resolution public notice of which shall be given as hereinafter provided declare open to trapping when in its opinion raccoons are sufficiently abundant to justify such trapping but the provisions of this subsection shall not be construed to prevent any bona fide occupant of a farm which lies within any county not declared open to general public Raccoon trapping who is a citizen of the United States and actually resides upon and cultivates such farm or any immediate member of his family or regularly hired help of such occupant if any such person is a citizen of the United States actually residing upon and cultivating such farm from trapping raccoons thereon including the woodlands connected therewith as a part thereof so long as any such person complies with the provisions of this act or the rules and regulations adopted thereunder governing trapping methods seasons and bag limits unless the commission has denied or this act does deny to any such person the right to hunt or trap anywhere in this Commonwealth"; Amend Section 1, page 2, line 13, by striking out before the word "After", the following: "(b)."

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 885

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 885.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,



Byrne, Chapman, Crowe, Dent, Diehm, DiSilvestro, Fleming, Freed,	Leader, Letzler, Mahany, Mallery, McCreesh, McGinnis, McMenamin,	Propert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Walker, Watkins, Watson, Wolfe, Wood, Yosko, Hare, Presiding Officer
---	--	--	---

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 825 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 2, by striking out before the word "or", the following: "one hundred thousand dollars (\$100,000)" and inserting in lieu thereof, the following: "two hundred thousand dollars (\$200,000)."

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 825

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 825.

Mr. STEVENSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane, Barr, Barrett, Berger, Blass, Byrne, Chapman, Crowe, Dent, Diehm, DiSilvestro, Fleming, Freed,	Haluska, Holland, Kephart, Kessler, Lane, Leader, Letzler, Mahany, Mallery, McCreesh, McGinnis, McMenamin,	McPherson, Jr., Meade, Neff, Pechan, Peelor, Propert, Robinson, Rosenfeld, Ruth, Silvert, Snowden, Stevenson,	Stiefel, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, Yosko, Hare, Presiding Officer
--	---	--	--

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 611 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety, setting forth the powers and duties of the commission, and the director, defining the scope of existing safety agencies; and making an appropriation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety, setting forth the powers and duties of the commission, and the director, defining the scope of existing safety agencies; and making an appropriation.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 6, by inserting after the word "Instruction" and before the word "or", the following: "the Chairman of the Pennsylvania Turnpike Commission;" Amend Section 2, page 4, line 7, by inserting after the word "stead" and before the word "and", the following: "two members of the General Assembly one from the Senate to be appointed by the President pro tempore of the Senate and one from the House of Representatives to be appointed by the Speaker of the House of Representatives the members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership and shall serve a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur"; Amend Section 2, page 4, line 10, by striking out after the left-faced parenthesis, the following: "Fire members of the commission shall constitute a quorum" and inserting in lieu thereof, the following: "Seven members who are not members of the General Assembly shall constitute a quorum."

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 611

Mr. WALKER. Mr. President, I move that the Senate

do concur in the amendments made by the House to Senate Bill No. 611.

Mr. KESSLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 572 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 2, by striking out all of said line, and inserting in lieu thereof, the following:

"One million two hundred thousand dollars (\$1,200,000)."

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 572

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendment made by the House to Senate Bill No. 572.

Mr. BERGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wagner,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE BILL No. 219 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State-Federal Social Security Board and conferring powers and imposing duties upon the Board authorizing the Board to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations. go over in its order.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; creating the State-Federal Social Security Board and conferring powers and imposing duties upon the Board; authorizing the Board to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agree-



ments with the Federal Security Administrator and for the collection and payment of employer and employee contributions; authorizing interstate cooperation in certain cases; creating a Contribution Fund and making an appropriation.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 1, by inserting after the word "subdivision" and before the word "there", the following: "except that the limitations upon instrumentalities or agencies of political subdivisions shall not apply in the case of joint-county departments of health"; Amend Section 3, page 6, line 5, by striking out before the word "he," the following: "Internal Affairs" and inserting in lieu thereof, the following: "state."

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 219

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 219.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### MEMBERS OF THE STATE ADVISORY COUNCIL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Advisory Council:

Penrose Hertzler, Pottsville, from March 9, 1950, until terminated.

C. W. Hudson, Emporium, from March 9, 1950, until terminated.

Earl C. Bohr, Harrisburg, from March 9, 1950, until terminated.

Harry Boyer, Harrisburg, from March 9, 1950, until terminated.

Lester Thomas, Harrisburg, from March 9, 1950, until terminated.

William A. Baird, Cambridge Springs, from March 9, 1950, until terminated.

Mrs. Martha Sloan, Pittsburgh, from March 9, 1950, until terminated.

J. Harry LaBrum, Philadelphia, from April 24, 1950, until terminated.

Robert L. Zullinger, Merion, from September 25, 1950, until terminated.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute:

Percival E. Foerderer, Bryn Mawr, from May 13, 1949, for the term of five years, and until his successor shall have been appointed and qualified.

J. L. Kauffman, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

William N. Parkinson, Philadelphia, from May 13, 1949, for the term of five years, and until his successor shall have been appointed and qualified.

Robert L. Johnson, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

William H. DuBarry, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

Charles L. Brown, Philadelphia, from May 13, 1949, for the term of five years, and until his successor shall have been appointed and qualified.

Charles A. Allen, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

Marion Fay, Philadelphia, from May 13, 1949, for the term of five years, and until his successor shall have been appointed and qualified.

Donald C. Rubel, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of the Eastern State Penitentiary:

Fred T. Corleto, Philadelphia, from November 4, 1949, for the term of four years, and until his successor is qualified.

William Reinhardt, Philadelphia, from November 21,

1949, for the term of four years, and until his successor is qualified.

Vincent DeP. Henderson, Wyncote, from January 9, 1950, for the term of four years, and until his successor is qualified.

Frank M. Speakman, Philadelphia, from January 9, 1950, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

### ERRATUM

The PRESIDING OFFICER. For the record, the Chair wishes to state that through a printer's error, the name of Senator Eustace H. Bane failed to appear on the printed copies of the following bills, although Senator Bane had signed the Conference Reports: House Bill No. 1142, House Bill No. 1397, House Bill No. 1582, House Bill No. 323, House Bill No. 1224 and House Bill No. 1421.

### HOUSE MESSAGE

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 219

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State-Federal Social Security Board and conferring powers and imposing duties upon the Board authorizing the Board to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations

#### SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 219

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 219, and that a Committee of Conference on the part of the Senate be appointed.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 219

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. MAHANY, WADE and NEFF, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 219.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 502

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 21, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 502, entitled:

An Act to amend the title and section 1 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class.

be recalled from the Governor for the purpose of further study.

### SENATE CONCURRENT RESOLUTION

#### RECALLING SENATE BILL No. 668 FROM THE GOVERNOR

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection. The Chair hears none.

Mr. STEVENSON offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 21, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 668, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

### CALENDAR

#### HOUSE BILL No. 1638 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1638, which was passed over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1638, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand



nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I only want to take a couple minutes to make a statement regarding House Bill No. 1638. This bill was prepared, as I understand, by the Department of Public Assistance in the hope that it could reduce departmental relief costs by drastically reducing rents which the Department of Public Assistance recipients are now paying housing authorities throughout the State. If this end result were to be actually achieved we would have no valid criticism to offer, but it cannot be achieved, and there are some very definite reasons why it cannot.

Mr. President, a housing authority draws its funds from two sources—rents and Federal subsidy. The subsidy is very definitely limited and is used basically to amortize the mortgage that is held by private banking interests. Therefore, in order to operate within the limits of this subsidy, housing authorities in preparing their budgets are forced to house a cross-section of the low of income. Currently, housing authorities in Pennsylvania are charging relief recipients rents worked out at the conference table between staff members of Local Housing Authorities and Assistance Boards, and approved by the respective boards. These rents are substantially below ceiling rents permitted by the Department of Public Assistance. This policy has enabled housing authorities to increase substantially the number of relief recipients it could house.

Mr. President, House Bill No. 1638 will drastically reduce the amount of rent that relief recipients will be permitted to pay because it will place them in the lowest category of the low of income. Therefore, if this measure becomes a law the Department of Public Assistance will not save one red cent over the long haul, but instead will find it a most costly venture—and for the following reason:

Every Housing Authority in the State, in a desperate attempt to operate within the legal limits of its subsidy, will be forced to limit sharply the proportion of lowest income families who apply for shelter. This will include, perforce, those receiving public assistance.

Mr. President, this most important fact was brought to the attention of the Department of Public Assistance's top staff, but surprisingly enough the Department of Public Assistance expresses the opinion that it is not concerned with the quality of the housing accommodations which relief recipients can obtain, notwithstanding that the less we house the higher the Department's rental bill.

Mr. President, I ask all of you on both sides of the aisle to vote this bill down.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—18

Berger,  
Blass,  
Diehm,  
Fleming,  
Freed,

Kephart,  
Kessler,  
Letzler,  
Mahany,

Mallery,  
Meade,  
Probert,  
Snowden,

Taylor,  
Wade,  
Walker,  
Watkins,  
Watson,

#### NAYS—17

Barr,  
Byrne,  
Dent,  
DiSilvestro,  
Lane,

Leader,  
McGinnis,  
McMenamin,  
Neff,

Rosenfeld,  
Ruth,  
Silvert,  
Stevenson,

Wagner,  
Wolfe,  
Yosko,  
Hare,  
Presiding Officer

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

#### HOUSE BILL No. 1506 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 1506, for consideration at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1506, entitled:

An Act to amend the act approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by further providing for transfers of certain retail liquor and retail dispenser licenses and changing the quota provisions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—9

Berger,  
Kessler,  
Letzler,Mallery,  
Propert,Stevenson,  
Taylor,Wagner,  
Hare,  
Presiding Officer

## NAYS—25

Barr,  
Blass,  
Byrne,  
Dent,  
Diehm,  
DiSilvestro,Fleming,  
Kephart,  
Lane,  
Leader,  
Mahany,  
McGinnis,McMenamin,  
Meade,  
Neff,  
Rosenfeld,  
Ruth,  
Silvert,Snowden,  
Wade,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Yosko,

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

## REASONS FOR VOTE

Mr. DENT. Mr. President, I only want to take two minutes or so, but I just want to state that one of the main reasons for my opposition to this bill was because the amendments that we tried to offer for the bill were defeated. This bill, if it were properly amended, would have corrected a very sad situation in the State of Pennsylvania. We have in this Commonwealth over a half million persons who belong to the colored race. There is no way that these individuals can belong to a country club today, because the country clubs will not take them in as members since country clubs are not only for recreational but social functions. Consequently, we deny them the right to belong, and with our present quota law, with the clubs added in, there is no opportunity there for this group to enjoy that particular phase of life.

Mr. President, I think that the day is coming when we must recognize this particular problem. This is not only a social but a physical problem, and one we ought to admit and face squarely. I think since the next Legislature will convene in 1953, just a year from now, it ought to be put on notice that something should be done for this group of people.

## HOUSE BILL No. 972 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 972.

The PRESIDING OFFICER. Is there objection? The Chair rears none.

## BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 972, on third reading, postponed, entitled:

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees

in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by regulating the dismissal, suspension, demotion, reenlistment and retirement of enlisted members of the Pennsylvania State Police.

be dropped from the Calendar.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

## COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

## APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 502, PRINTER'S No. 536

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 502, Printer's No. 536, for the purpose of further study.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.

## APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 570, PRINTER'S No. 656

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 570, Printer's No. 656, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.

## APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 765, PRINTER'S No. 475

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 765, Printer's No. 475.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.



APPROVED AND SIGNED SENATE CONCURRENT  
RESOLUTION RECALLING SENATE BILL No.  
586, PRINTER'S No. 290

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 586, Printer's No. 290.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.

SENATE BILL No. 570 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 570. For the information of the gentleman of the Senate, this bill is the bill making the appropriation to the Department of Labor and Industry for the occupational disease obligation which the Commonwealth must meet. The amendments will be inserted to increase the amount appropriated for occupational diseases from \$1,110,000 to \$1,610,000.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 570

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

passed finally.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 1, lines 2 and 3, by striking out all of line 2 and before the word "or" on line 3, the following: "One million one hundred ten thousand dollars (\$1,110,000)" and inserting in lieu thereof, the following: "one million six hundred ten thousand dollars (\$1,610,000)."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing on final passage.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills has passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 162, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

Senate Bill No. 344, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people, as well as family groups, industrial workers and others.

Senate Bill No. 350, entitled:

An Act to further amend clause two of section 1709 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof.

Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons, and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by increasing pensions for the blind.

Senate Bill No. 455, entitled:

An Act making an appropriation to the Department of

Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-one.

Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety, setting forth the powers and duties of the commission, and the director, defining the scope of existing safety agencies; and making an appropriation.

Senate Bill No. 824, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof.

Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease, and the determination of measures for control and eradication.

Senate Bill No. 868, entitled:

An Act to amend section 1 of the act approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed, to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by either department, and

setting out the method of procedure therefor," by clarifying the provisions thereof to include periods when licenses are revoked, and periods after violation of laws, rules and regulations governing private institutions.

Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture.

Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds, where the acknowledgement of such deed or deeds was defective in any respect, or sale thereof not legally returned, if in fact such acknowledgement was taken before any officer duly authorized by law to take acknowledgements, and return duly made at a subsequent term.

Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of May, one thousand eight hundred seventy-four (P. L. 159), entitled "An act relating to compulsory arbitrations," by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expense and charges in connection with capital improvements to the Pennsylvania Training School at Morgantown.

Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective delinquents.

Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the



Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 9 o'clock, p.m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 187

Mr. MEADE. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### HOUSE MESSAGES

#### HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 668

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, December 21, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 668, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

be recalled from the Governor for the purpose of amendment.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON- CONCURRED BY THE SENATE TO SENATE BILL No. 219 AND APPOINTS COMMITTEE OF CONFERENCE

He also, informed the Senate that the House insists

upon its amendments non-concurred in by the Senate to Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

and has appointed Messrs. HELM, WOOD and ANDREWS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1718

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1718, entitled:

An Act to amend Section twenty-one of the Act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law," as amended by modifying the rates of commission which may be retained by registers of wills for their own use, for collection of inheritance taxes as agents of the Commonwealth.

The PRESIDING OFFICER. The message will be laid on the table.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 862

He also, informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

#### HOUSE ADOPTS REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 1421

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1421

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1421, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1421

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of Senate and House of Representatives for the purpose of considering House Bill No. 1421, entitled: "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one."

Respectfully submit the following bill as our report:

T. N. WOOD,  
E. B. WATSON,  
(Committee on the part of the Senate.)

NOMAN WOOD,  
ALBERT W. JOHNSON,  
LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The General Appropriation Act" of one thousand nine hundred fifty-one

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-one and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

I EXECUTIVE DEPARTMENT

To the Governor

For the payment of the salary of the Governor and the salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employees for the payment of general expenses supplies printing and equipment and any other expenses whatsoever necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the payment of the costs of auditing the Department of the Auditor General as provided by law for the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the Governor to represent the Commonwealth in any capacity for the expenses incurred in the conduct of the Executive Mansion including the maintenance of employees assigned thereto for the expenses of entertainment of official guests and for the expenses incident to the participation of the Governor in the Governor's Con-

ference the sum of six hundred fifty-four thousand dollars (\$654,000)

For the cost of painting a portrait of ex-Governor James H Duff to be placed in the office of the Governor the sum of seven hundred fifty dollars (\$750)

For the cost of making surveys studies and investigations of the State government and its agencies the sum of one hundred thousand dollars (\$100,000)

To the Lieutenant Governor

For the payment of the salary of the Lieutenant Governor and for all necessary expenses including postage telegrams telephone toll charges and traveling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges for the Department of Property and Supplies for the use of automobiles for the Lieutenant Governor the sum of forty-seven thousand five hundred dollars (\$47,500)

For the cost of painting a portrait of ex-Lieutenant Governor Daniel B Strickler to be placed in the office of the Lieutenant Governor the sum of seven hundred fifty dollars (\$750)

To the Department of the Auditor General

For the payment of the salary of the Auditor General and the salaries wages and other compensation of a deputy Auditor General and other employees for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of two million two hundred ninety-five thousand dollars (\$2,295,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars (\$1,000)

For the payment of fees to county officers for furnishing information to the officers of the Commonwealth as provided by law the sum of four thousand dollars (\$4,000)

For the payment of salaries and expenses of the Board of Arbitration of Claims the sum of seventeen thousand dollars (\$17,000)

To the Treasury Department

For the payment of the salary of the State Treasurer and the payment of salaries wages or other compensation of a deputy State Treasurer and other employees for the payment of general expenses for the purchase through the Department of Property and Supplies as agent of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million three hundred fifty thousand dollars (\$1,350,000)

For the payment of salaries or other compensation of a secretary and other employees and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of one hundred thirty-five thousand dollars (\$135,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State College the sum of fifty two thousand forty dollars (\$52,040)

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for service rendered in connection with the registration transfer and payment



of interest on World War I Veterans' Compensation Bonds Public Buildings Construction Bonds and for World War II Veterans' Compensation Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of one hundred eight thousand six hundred ninety-four dollars (\$108,694)

For the payment of legal fees publication of advertisements cost of engraving and any other expenses incurred in the issuing of tax anticipation notes the sum of fifty thousand dollars (\$50,000)

For the payment of the expenses of publishing statements of the General Fund and other funds of the Commonwealth the sum of twenty thousand dollars (\$20,000)

For the payment of the cost of printing or engraving of bonds required by the Loan and Transfer Agent in making exchanges as requested by bondholders the sum of five hundred dollars (\$500)

For refunding the balances due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars (\$1,000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled cancelled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars (\$2,500)

For refunding transfer inheritance taxes on estates of resident decedents paid in error or overpaid the sum of two hundred fifty thousand dollars (\$250,000)

For refunding transfer inheritance taxes on estates of nonresident decedents paid in error or overpaid the sum of ten thousand dollars (\$10,000)

For refunding moneys paid by any person to any professional examining board or advisory committee or to the Department of Public Instruction on behalf of any such board or advisory committee the sum of five thousand dollars (\$5,000)

For refunding fees paid for notary public commissions when such commissions have not been issued or if issued have not been received and have been canceled the sum of four thousand dollars (\$4,000)

For refunding moneys which were paid into the State Treasury through escheat proceedings or without escheat either voluntary or by order of court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of two hundred twenty-five thousand dollars (\$225,000)

For the purpose of refunding moneys other than taxes paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropriation the sum of fifteen thousand dollars (\$15,000)

For the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital institution for the feeble-minded in part supported by the Commonwealth the sum of fifty thousand dollars (\$50,000)

For the purpose of refunding fees paid in connection with renewal applications for registration under The Securities Act which have been cancelled before January first of the year for which the fees were paid the sum of five hundred dollars (\$500)

For the purpose of refunding collections by the Department of Public Assistance the sum of twenty-five thousand dollars (\$25,000)

For the payment of approved claims for refund of

cigarette tax permit fees and cigarette tax stamps the sum of five hundred dollars (\$500)

For refunding liquid fuels tax erroneously paid or overpaid into the General Fund the sum of two thousand dollars (\$2,000)

For the payment of approved claims for refunds of fines collected under the provisions of the Motor Vehicle Code the sum of two thousand five hundred dollars (\$2,500)

For the refund of moneys collected under the provisions of the "State Personal Property Tax Act" the sum of one thousand dollars (\$1,000)

For the payment into the World War I Veterans' Compensation Sinking Fund to meet the interest and sinking fund requirements of the bonds issued under authority of the act approved the fifth day of January one thousand nine hundred thirty-four (one thousand nine hundred thirty-three and one thousand nine hundred thirty-four (Pamphlet Laws 219) the sum of five million forty-eight thousand nine hundred forty-two dollars fifty cents (\$5,048,942.50) according to the following schedule

Date of Payment	Principal	Interest	Total
September 1 1951 .....		\$162,500.00	\$162,500.00
November 1 1951 .....		60,000.00	60,000.00
March 1 1952 ..	\$1,237,253.21	162,500.00	1,399,753.21
May 1 1952 ..	912,843.04	60,000.00	972,843.04
September 1 1952 .....		121,875.00	121,875.00
November 1 1952 .....		30,000.00	30,000.00
March 1 1953 ..	1,237,253.21	121,875.00	1,359,128.21
May 1, 1953 ..	912,843.04	30,000.00	942,843.04
Totals .....	\$4,300,192.50	\$748,750.00	\$5,048,942.50

For payment into the Public Buildings Construction Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the provisions of article nine section twenty-one of the Constitution of Pennsylvania as authorized by the 1947 Session of the General Assembly the sum of four million three hundred sixty-one thousand two hundred sixty dollars (\$4,361,260) to the following schedule

Date of Payment	Principal	Interest	Total
October 1 1951 .....	\$ 750,000.00	\$ 344,000.00	\$1,094,000.00
April 1 1952 .....	750,000.00	343,500.00	1,093,500.00
October 1 1952 .....	750,000.00	344,000.00	1,094,000.00
April 1 1953 .....	750,000.00	329,760.00	1,079,760.00
Total .....	\$3,000,000.00	\$1,361,260.00	\$4,361,260.00

For the payment into the World War II Veterans' Compensation Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the authority of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) the sum of sixty million seven hundred thirty thousand dollars (\$60,730,000) according to the following schedule

Date of Payment	Principal	Interest	Total
August 15 1951 .....		\$ 471,250.00	\$ 471,250.00
March 1 1952 .....	\$27,000,000.00	96,250.00	27,096,250.00
August 15 1952 .....		471,250.00	471,250.00
September 1 1952 .....		2,610,000.00	2,610,000.00
February 15 1953 .....		471,250.00	471,250.00



March 1

1953 .....	27,000,000.00	2,610,000.00	29,610,000.00
Total ....	\$54,000,000.00	\$6,730,000.00	\$60,730,000.00

## To the Department of Agriculture

For the payment of the salary of the Secretary of Agriculture and the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides fungicides and other materials for control and eradication of plant pests and diseases for payment of necessary expenses including vaccination of animals and for work of testing of animals to prevent spreading of dangerous contagious and infectious diseases and the purchase of necessary supplies for conducting such work for the payment of any loss or damage by dogs to livestock domestic game birds and poultry as provided by law for the payment of expenses of the State Farm Show Commission and the Pennsylvania Official Egg Laying Contest the State Soil Conservation Commission in carrying out the provisions of the Soil Conservation Districts Law and for the payment of the expenses of the department in the operation of diagnostic laboratories for the control and eradication of livestock and poultry diseases the sum of four million three hundred sixteen thousand dollars (\$4,316,000)

For the payment of indemnities for animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law for the purchase of materials and for the payment of salaries wages and the necessary expenses including vaccination of animals for control of dangerous contagious and infectious diseases the sum of two million dollars (\$2,000,000)

For the payment of the expenses of the department in conducting research and diagnostic work to find measures for control prevention and curing of diseases of livestock and poultry and the operation of diagnostic laboratories the sum of seventy-five thousand dollars (\$75,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of livestock livestock products horticultural products handiwork cereals bees and bee products as provided by law Provided That such associations file such reports as may be required by the Secretary of Agriculture the sum of one hundred thousand dollars (\$100,000)

## To the Department of Banking

For the payment of salaries wages or other compensation of the members of the Securities Commission and employees and for the payment of general expenses supplies printing and equipment necessary for the administration and enforcement of the Securities Act the sum of one hundred eighty-six thousand dollars (\$186,000)

## To the Department of Commerce

For the payment of the salary of the Secretary of Commerce and for the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of one million two hundred thirty-two thousand dollars (\$1,232,000)

For the payment of salaries wages or other compensation of a secretary and employees for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Planning Board the sum of two hundred fifty-six thousand five hundred dollars (\$256,500)

## To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests

and Waters and for the payment of the salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park State Parks Commission and Regional State Park Boards for emergency control and extinction of forest fires for maintenance of the State-Federal Flood Warning System for the purchase of telephone equipment and the cost of telephone rentals at towers park and forest field offices ranger stations and other necessary locations for the erection and repairs of buildings for the development of natural resources on lands owned by the department for the payment of royalties on gas oil or other minerals the sum of five million nine hundred fifty-five thousand five hundred dollars (\$5,955,500)

For stream clearance and conservation and flood control including stream channel improvement construction of dams and protective works for flood control purposes improvement and development of State parks rehabilitation and maintenance of the Delaware Division of the Pennsylvania Canal study of water resources the sum of two million three hundred fifty thousand dollars (\$2,350,000)

For the payment of necessary expenses incurred for the maintenance of the Schuylkill River desilting project and preventing future silting of the Schuylkill River the sum of one million sixty-five thousand dollars (\$1,065,000)

For the payment of expenses incurred for the extinction and control of forest fires the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred eighty thousand dollars (\$180,000)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Valley Forge Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing and photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of two hundred thirty-one thousand two hundred dollars (\$231,200)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Park and Harbor Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of jetties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred forty-two thousand dollars (\$142,000)

For the payment of necessary expenses incurred for the rehabilitation prevention of erosion and protection of Presque Isle Peninsula the sum of five hundred thousand dollars (\$500,000)



For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxiliary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of three hundred ninety-four thousand dollars (\$394,000)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of sixteen thousand dollars (\$16,000)

For the payment of the salaries or other compensation of a secretary and such other employees including among others captains pilots engineers harbor masters firemen deckhands watchmen laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of one hundred one thousand five-hundred dollars (\$101,500)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Bushy Run Battlefield Commission for the repair and construction of roads dams parking space and buildings for the purchase of materials photography distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forest and Waters the sum of twenty-one thousand dollars (\$21,000)

#### To the Department of Health

For the payment of salaries of the Secretary of Health and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department of the Sanitary Water Board the Advisory Health Board and other boards the sum of seven million one hundred eighty-four thousand dollars (\$7,184,000) any portion of these funds may be used to carry out the provisions of the Local Health Administration Law with respect to State grants to county departments of health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting cancer research the study of facilities and the dissemination of information as diagnosis and treatment of cancer the sum of two hundred fifty-four thousand dollars (\$254,000) any portion of these funds may be used to carry out the provisions of the Local Health Administration Law with respect to State grants to County Departments of Health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting prevention care diagnosis and treatment of rheumatic fever and rheumatic heart disease the sum of two hundred forty-six thousand dollars (\$246,000) any portion of these funds may be used to carry out the provisions of the Local Health Administration Law with respect to State grants to County Departments of Health and to cities eligible for such grants

For the payment of salaries wages or other compensation of superintendents and other employees for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and live stock for the payment to fire companies of cost of fighting fires upon approval of the institution and the department for incidental expenses and all other expenses of maintenance and

operation necessary for proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of twelve million seven hundred thirty-eight thousand dollars (\$12,738,000) any portion of these funds may be used to carry out the provisions of the Local Health Administration Law with respect to State grants to County Departments of Health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of six million four hundred forty-six thousand dollars (\$6,446,000)

#### To the Insurance Department

For the payment of the salary of the Insurance Commissioner and for the payment of salaries wages or other compensation of the deputy commissioner and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of cost in court proceedings to forfeit charters of extinct companies and for the payment of the liquidation and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash assets are insufficient to pay such expenses the sum of one million four hundred forty-five thousand dollars (\$1,445,000)

And in addition all sums received from the assets of companies in liquidation by way of reimbursement for expenditures previously made from this appropriation shall be paid into the General Fund and credited to the appropriation made by this paragraph

#### To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs and for the payment of salaries wages or other compensation of the deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for the data and statistics furnished relative to local taxes the sum of one million three hundred thirty-two thousand dollars (\$1,332,000)

#### To the Department of Justice

For the payment of the salary of the Attorney General and for the payment of the salaries wages or other compensation of deputy attorneys general special deputy attorneys general assistant deputy attorneys general special attorneys law clerks and other employees for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for the payment of cost and witness fees for the purchase of law books for the law library of the department and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform State Laws for the audit and investigation of claims and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of one million four hundred seventy-two thousand dollars (\$1,472,000)

#### To the Department of Labor and Industry

For the payment of the salary of the secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees



Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of four million five hundred seventy-five thousand dollars (\$4,575,000)

For use by the State Board of Vocational Rehabilitation in purchasing artificial appliances for and payment of the maintenance cost of physically handicapped persons in training including the deaf and hard of hearing and in paying all other expenses necessary in carrying out the provisions of the Rehabilitation Act the sum of one million eight hundred thousand dollars (\$1,800,000)

#### To the Department of Military Affairs

For the payment of the salary of the Adjutant General and for the payment of salaries wages or other compensation of the deputies adjutant general the Division Commander and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal for the payment of expenses incurred in maintaining monuments in Europe erected at the expense of the Commonwealth and for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap for the purpose of placing at the disposal of the Governor and making the same available for replacement or repairs of such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers for the Commonwealth of Pennsylvania under a call made by the President of the United States and for the equipment and maintenance of the Pennsylvania Guard in the event of the Pennsylvania National Guard being called into active service of the United States for the payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard or the Pennsylvania Guard as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscription to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard in either State or Federal service and the Pennsylvania Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard of the Pennsylvania Guard for the payment of claims made by the War Department based upon

approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of four million six hundred eighty-nine thousand dollars (\$4,689,000)

Provided however That there is hereby appropriated for the same purposes the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania Guard in furnishing relief from disaster and all receipts from the Federal Government or other public or private sources for or in connection with services performed by employees of the Department of Military Affairs or for or in connection with the use of property under the control of said department which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the State of Pennsylvania be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania Guard

For the payment of salaries wages or other compensation of the superintendent and other employees for the payment of general expenses supplies printing and equipment for improvements to land for repairs alterations and improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of four hundred twenty-five thousand dollars (\$425,000) and in addition to said amount all moneys collected by the institution or by the Commonwealth from the Federal Government in payment of support or training of members of Federal military establishments at the institution shall be paid into the General Fund and shall be credited to the appropriation made by this paragraph

For the payment of any and all expenses incident to furnishing men material supplies and equipment when a disaster occurs the sum of five hundred thousand dollars (\$500,000)

#### To the Department of Mines

For the payment of the salary of the Secretary of Mines and for the payment of salaries wages or other compensation of a deputy secretary the mine inspectors and other employees and for the payment of general expenses including examination costs supplies printing and equipment necessary for the proper conduct of the work of the department and the mine inspectors the sum of one million two hundred twenty-six thousand dollars (\$1,226,000)

For the payment of all expenses of the department in administering and enforcing the "Bituminous Coal Open Pit Mining Conservation Act" of the 1945 Session of the General Assembly the sum of one hundred thousand dollars (\$100,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the administration of the Act of May 29 1945 (P. L. 1132) relating to the health and safety of miners the sum of ninety-seven thousand dollars (\$97,000)

#### To the Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies and for the payment of salaries wages



or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposal when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of four million seven hundred ninety-three thousand dollars (\$4,793,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of officers or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or offices or other quarters used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board

For the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans of the World War American Veterans of the World War II (Amvets) Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Incorporated and the Marine Corps League as provided by law the sum of forty-six thousand dollars (\$46,000)

For the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of eighty-eight thousand dollars (\$88,000)

For the purchase of fuel water gas steam and electric current and necessary devices for its reception and use for alterations materials supplies repairs equipment renovations and improvements to for or on the State Capitol buildings the public grounds and buildings connected with the State Capitol the Publications Building the Executive Mansion the State Arsenal the Cameron Street Office Building the State Warehouse and any buildings lands or structures within the City of Harrisburg donated or devised to the Commonwealth but not including the Liquor Control Board Office Building in Harrisburg for the salaries of employes and other expenses of maintaining the Cameron Street Office Building State Warehouse the Brookwood Terminal Building and for the payment of rents fuel water gas steam electric current and any necessary alterations for any buildings offices or storage space in the City of Harrisburg required for the accommodation of departments supported from the General Fund the sum of two million six hundred thirty-nine thousand dollars (\$2,639,000) Provided That occupancy of the Cameron Street Office Building or the State Warehouse by agencies or functions of government supported by other than appropriations from the General Fund shall be charged for at rates approved by the Executive Board And that space in the State Warehouse not in use by the Commonwealth may be rented to the public at such rates as the department of Property and Supplies may determine All funds collected by the Department under this proviso shall be paid into the State Treasury and credited to the appropriation made by this paragraph and shall be appropriated for the same purposes

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State government except those

required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Pennsylvania State Police the Board of Fish Commissioners the Pennsylvania Game Commission the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Commission and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Department of Highways and stored at the garage maintained by the Department of Property and Supplies in the City of Harrisburg and the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or other officer of the State government the sum of eight hundred seventy-five thousand dollars (\$875,000)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the cost of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight expenses paper and printing of department documents distributed to members of the General Assembly in accordance with law the sum of one million two hundred thousand dollars (\$1,200,000)

For payment of the expenses necessary to rehabilitate the water lines piping and sewer connections in Capitol Park Extension related to the widening of Forster Street the sum of one hundred thousand dollars (\$100,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Department in the inspection of construction projects of the General State Authority the sum of four hundred thousand dollars (\$400,000)

#### To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance and for the payment of the salaries wages or other compensation of a deputy secretary and other employes for payment to the State Civil Service Commission for services rendered for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of one million four hundred fourteen thousand five hundred dollars (\$1,414,500)

#### To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of one million four hundred six thousand five hundred dollars (\$1,406,500)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions newspapers necessary for the proper conduct of the work of the department with respect to the State Library the sum of three hundred ninety thousand five hundred dollars (\$390,500)



For the payment of salaries wages or other compensation of a deputy member and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to pre professional professional education and licensure and the professional examining boards and advisory committees with the department the sum of nine hundred eighty-one thousand dollars (\$981,000)

Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of two hundred two thousand six hundred dollars (\$202,600)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in advising and coordinating the work of the Pennsylvania Federation of Junior Historians in the secondary schools of the Commonwealth the sum of seventeen thousand two hundred dollars (\$17,200)

For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the Department of Public Instruction with respect to the conduct of examinations for the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of seventy-nine thousand dollars (\$79,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of twenty-six thousand two hundred dollars (\$26,200)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the acquisition of Federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred fifty-seven thousand three hundred dollars (\$157,300)

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering cost of acquisition and handling shall be paid into the General Fund and credited to the appropriation and available for the purposes for which this appropriation has been made

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department and the State Board for Vocational Education in licensing and regulating private schools private trade schools business schools and correspondence schools and classes the sum of two hundred twelve thousand dollars (\$212,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of forty thousand dollars (\$40,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing form and home safety education through the schools and form and home organizations in the Commonwealth the sum of twenty-six thousand three hundred dollars (\$26,300)

For the payment of salaries wages general expense supplies printing and equipment necessary for the work of the department in accrediting facilities for the training of veterans the sum of one hundred fifty-seven thousand five hundred dollars (\$157,500)

Provided That \$80,000 of the appropriation made by this paragraph shall be used by the department as wo capital only and shall lapse at the end of the biennium in the full amount In addition all moneys collected

from the Federal Government shall be credited to the appropriation made by this paragraph

For the payment of salaries wages printing supplies and general expenses necessary to carry out the provisions of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" the sum of twenty thousand dollars (\$20,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Public School Employees Retirement Board the sum of four hundred sixty-two thousand dollars (\$462,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishing and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges as may be authorized and approved by the Superintendent of Public Instruction the sum of eleven million six hundred thousand dollars (\$11,600,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges for the same purpose each college to receive from such appropriation the exact amount which was collected at said college during the said fiscal year

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania .....	(\$316,500)
Scotland School for Veterans' Children at Scotland Pennsylvania .....	(\$881,000)
Thaddeus Stevens Trade School at Lancaster Pennsylvania .....	(\$618,000)

and in addition to said amount all income and all moneys collected at the Thaddeus Stevens Trade School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph

For the payment of salaries of the County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two million two hundred thirty-nine thousand dollars (\$2,239,000)

For the payment of expenses of County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two hundred seventy-four thousand four hundred dollars (\$274,400)

For the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of fifty two thousand eight hundred dollars (\$52,800)



For reimbursement to school districts for transportation of school children as required by law the sum of twenty million five hundred thousand dollars (\$20,500,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational school or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses supplies printing and equipment of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of two million eight hundred sixty-five thousand dollars (\$2,865,000) and be it provided that as much of this appropriation as can be made available may be expended with the Governor's approval in paying the cost of vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in carrying out the School Lunch Program the sum of one hundred forty-nine thousand dollars (\$149,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduate of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of four hundred fifty thousand dollars (\$450,000)

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for non-resident high school tuition and any other non-resident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of two hundred eighty-six million seven hundred thousand dollars (\$286,700,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf or cerebral palsied under the supervision of or approved by the department in accordance with law and for readers helpers guides aids and appliances for such children in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction the sum of three million two hundred seventy-five thousand dollars (\$3,275,000)

For the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for

the proper conduct of the Public Service Institute including the Firemen's Training School at Lewistown the sum of one hundred twenty-four thousand dollars (\$124,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary to make a survey of public school plant facilities in the Commonwealth the sum of sixty thousand dollars (\$60,000) in addition all moneys received from the Federal Government under Public Law 815 of the 81st Congress for this purpose shall be credited to the appropriation made by this paragraph

For the payment into the School Employees' Retirement Fund to the credit of the Contingent Reserve Account of the School Employees' Retirement Fund as required by law the sum of eighteen million four hundred three thousand eight hundred forty-six dollars (\$18,403,846)

For the payment into the School Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employees' Retirement Fund as required by law the sum of fifteen million seven hundred thirty-one thousand one hundred forty-one dollars (\$15,731,141)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of three hundred ten thousand dollars (\$310,000)

For the payment of increased retirement allowances to employes on retirement as of September 1 1949 the sum of three million dollars (\$3,000,000)

#### To the Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission and for the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of three million six hundred forty-nine thousand dollars (\$3,649,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railways corporations cross public highways other than those State highways designed as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of thirty-five thousand dollars (\$35,000)

#### To the Department of Revenue

For the payment of the salary of the Secretary of Revenue and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of costs in suits for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of five million eight hundred thirty-four thousand dollars (\$5,834,000)

Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

For the payment of the compensation of informants in escheats and the fees and expenses of escheators the sum of three hundred sixty-five thousand dollars (\$365,000)



For the payment of salaries of the members of the State Athletic Commission for the payment of salaries wages or other compensation of a secretary and deputies and other employees and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as approved by the Secretary of Revenue the sum of one hundred sixty-five thousand dollars (\$165,000)

For the payment of salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statisticians clerks stenographers and other assistants and employees and for costs witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garret Deceased the sum of twenty-hour thousand dollars (\$24,000)

#### To the Department of State

For the payment of the salary of the Secretary of the Commonwealth and for the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of five hundred seventy six thousand dollars (\$576,000)

For the payment of salaries wages and compensation of employees for the payment of general expenses supplies printing equipment and other expenses for the proper conduct of the work of the department necessary for and incidental to talking the vote of qualified electors of the Commonwealth who are entitled to vote by "Official Military Ballot" and for reimbursement by the Commonwealth of cities of the first class and counties for expenses incurred by cities of the first class and counties in connection therewith the sum of three hundred eighty-three thousand dollars (\$383,000)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonwealth of Pennsylvania the sum of fifty thousand dollars (\$50,000)

For the payment of salaries wages or other compensation of a secretary and other employees and for the payment of general expenses necessary for the proper conduct of the work of the State Employees' Retirement Board the sum of two hundred fifty-five thousand five hundred dollars (\$255,500) and in addition to the said amount any moneys collected from a public corporation or similar agency in payment of the proportionate share of administering the State Employees' Retirement Fund on behalf of the employees of such public corporation or similar agency whose employees are entitled by law to be members of the State Employees' Retirement System shall be paid into the General Fund and credited to this appropriation

For the payment of the cost and expenses incident to the work of setting up the Municipal Employees' Retirement System the sum of twenty thousand dollars (\$20,000)

For the payment into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million six hundred nineteen thousand one hundred sixty dollars (\$1,619,160)

For the payment into the State Employees' Retirement Fund to the credit of the Contingent Reserve Account the sum of three million four hundred fifty-nine thousand forty-seven dollars (\$3,459,047)

For the payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania State Police Retirement System the sum of fifty thousand dollars (\$50,000)

For the payment into the State Employees' Retirement Fund to the credit of the Members' Annuity Reserve account and other accounts the sum of one million six hundred twenty-two thousand eight hundred dollars (\$1,622,800)

For the payment of State employees who have retired in accordance with the provisions of the act of Assembly approved June fourteenth one thousand nine hundred fifteen (P. L. 973) as amended and for the payment of pensions and gratuities granted by law the sum of four thousand eight hundred forty dollars (\$4,840)

#### To the Pennsylvania State Police

For the payment of the salaries wages or other compensation and necessary traveling expenses of the Commissioner and deputy commissioner of the Pennsylvania State Police the members of the State Police force and the other employees of the Pennsylvania State Police for the purchase of motor equipment for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for the payment of the board lodging subsistence allowances uniforms arms and equipment of the Pennsylvania State Police force and for the payment of the proper medical surgical and hospital expenses incurred as a direct result of illness contracted or injuries received by members of the Pennsylvania State Police in the course of employment and not covered by insurance for the payment of premiums on policies insuring the Commonwealth against workmen's compensation liability to all employees or dependents of employees of the Pennsylvania State Police for the payment of premiums on policies of insurance covering motor vehicles operated by the Pennsylvania State Police and surety bonds for employees of the Pennsylvania State Police required to furnish such bonds for the payment with the Attorney General's approval of damages sustained by persons whose property has been damaged or destroyed by members of the Pennsylvania State Police in the discharge of their duties for the operation and maintenance of the Pennsylvania State Police Training School including any branches thereof for the maintenance and repair of barracks owned by the Pennsylvania State Police and equipment therein for the payment of traveling expenses and witness fees in the amount of three dollars (\$3) per capita per diem to witnesses testifying for the Commonwealth at hearings in connection with the work of the Pennsylvania State Police and for the payment of fees charged by physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five dollars (\$5) shall be paid to any physician for any such examination for the maintenance and operating of a radio broadcasting station or stations and for the purpose of installing operating and maintaining a teletype or other inter-communication system linking the central office of the Pennsylvania State Police and the officers of the various organized police forces of the political subdivisions of the Commonwealth maintaining night offices and linking such central office with other states using similar systems which cooperate with Pennsylvania in broadcasting police information the sum of six million three hundred thirty thousand dollars (\$6,330,000) and any additional sums from time to time transferred from the Motor License Fund and credited to this appropriation in the manner provided by law

#### To the Department of Welfare

For the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institution subject to the supervision of the department the sum of one million one hundred twenty-two thousand dollars (\$1,122,000)

For the payment of salaries wages or other compensation of employees and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind for improvement of the condition of the blind by supply-



ing where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial and for medical treatment surgical operations eye glasses and other necessary aids or services including transportation for needy blind persons or persons with impaired vision and for meeting any additional expenses necessary the sum of four hundred thirty-five thousand dollars (\$435,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind in supplying to the adult blind vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers in providing for their employment and placement in industry business and the professions in obtaining the required medical service for such training and placement and in meeting expenses necessary and proper in the administration of this program the sum of two hundred thirty-three thousand three hundred dollars (\$233,300) and in addition to this amount moneys received from the United States Government or from any other source as contributions for this program shall be paid into the General Fund and credited to this appropriation

For the payment of salaries wages or other compensation of the superintendents or wardens and other employees for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses for the payment to fire companies of costs of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Institution for Defective Delinquents at Huntingdon the Pennsylvania Training School at Morgantown the State Industrial Home for Women at Muncy the Pennsylvania Industrial School at White Hill the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of sixteen million one hundred sixty-three thousand dollars (\$16,163,000)

For the payment of salaries wages or other compensation of the superintendents and other employees for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville the Western State Psychiatric Institute and Clinic at Pittsburgh the Eastern State Psychiatric Institute at Philadelphia the Embreeville State Hospital at Embreeville the Hollidaysburg State Hospital at Hollidaysburg the Mayview State Hospital at Mayview the Somerset State Hospital at Somerset the Woodville State Hospital at Woodville the Clarks Summit State Hospital at Clarks Summit the Retreat State Hospital at Retreat the Dixmont State Hospital at Dixmont and any other institution

established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their states of residence persons committed to State mental institutions who may hold residence in other states for the purchase from publicly or privately operated nonsectarian hospitals at cost not exceeding five dollars and fifty cents (\$5.50) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to one thousand five hundred dollars (\$1,500) per bed provided for the payment of the necessary expenses of boarding out mental patients in accordance with act 257 approved July 12 1935 (P. L. 679) and for the establishment and maintenance of psychiatric clinics under the regulations of the department the sum of sixty-nine million eight hundred forty thousand dollars (\$69,840,000) and in addition to this amount the following shall be paid into the General Fund and credited to the proper allocation within this appropriation (1) all moneys received from the United States Government or from any other source as contributions toward the establishment and maintenance of psychiatric clinics and (2) all moneys received from political subdivisions in payment for services and facilities required to be furnished by the State-Owned Mental Hospitals to institutions operated by such political subdivisions

For the payment of salaries wages or other compensation of the superintendents and other employees for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the maintenance of patients in private institutions at such rates as are established by the Department of Welfare and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of thirteen million five hundred forty-five thousand dollars (\$13,545,000)

For the payment of salaries wages or other compensation of the superintendents and other employees for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of ten million forty-five thousand dollars (\$10,045,000)

#### To the Milk Control Commission

For the payment into the Milk Control Fund in the State Treasury for the purposes for which such fund is appropriated by law the sum of five hundred four thousand seven hundred fifty dollars (\$504,750)

#### To the State Civil Service Commission

For the payment of salaries wages or other compen-



sation of the commissioners a personnel director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of one hundred thousand dollars (\$100,000) and in addition any money collected by the Commission by way of reimbursement under the provisions of the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation Provided That the specific appropriation of \$100,000 made by this paragraph shall be used by the Commission as working capital only and shall lapse at the end of the biennium in the full amount

#### To the Pennsylvania Board of Parole

For the payment of salaries of members of the board and salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the board the sum of one million five hundred ninety-five thousand dollars (\$1,595,000)

#### To the State Tax Equalization Board

For the payment of salaries of members of the board and salaries wages or other compensation of employes for payments to county commissioners under the provisions of section nine of act 447 approved June 27 1947 (P. L. 1046) and for the payment of the costs of supplies equipment and all other expenses necessary for the proper conduct of the work of the board the sum of four hundred fifty thousand dollars (\$450,000)

#### To the Commission on Interstate Cooperation

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences when designated by the Governor the President pro tempore of the Senate or the Speaker of the House of Representatives and for the payment of the general expenses necessary for the proper conduct of the work of the Commission on Interstate Cooperation the sum of twenty-five thousand dollars (\$25,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

#### To the Interstate Commission on the Delaware River Basin

For the payment of wages and other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission on Interstate Cooperation the sum of fifty thousand dollars (\$50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

#### Atlantic States Marine Fisheries Commission

For the support of the Atlantic States Marine Fisheries Commission created by the act of June 1 1943 (P. L. 798) the sum of one thousand two hundred dollars (\$1,200) Requisitions shall be prepared and signed by the Commissioner of Fisheries

#### Ohio River Valley Sanitation Commission

For the support of the Ohio River Valley Water Sanitation Commission created by the act of April 2 1945 (P. L. 103) the sum of thirty-one thousand seven hundred dollars (\$31,700) Requisitions shall be prepared and signed by the Secretary of Health

#### Interstate Oil Compact Commission

For the support of the Interstate Oil Compact Commission created by the act of July 23 1941 (P. L. 435) and for the payment of expenses of the Governor or his delegate in representing Pennsylvania the sum of five thousand dollars (\$5,000) Requisition shall be signed by the Governor

#### Interstate Commission on the Potomac River Basin

For the support of the Interstate Commission on the Potomac River Basin created by the act of May 29 1945 (P. L. 1134) the sum of four thousand eight hundred dollars (\$4,800) Requisitions shall be prepared and signed by the Secretary of Commerce

#### To the Council of State Governments

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau established by it to co-ordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matters the sum of sixty thousand dollars (\$60,000)

One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Executive Director of the Council of State Governments who shall file an accounting of said expenses with the Auditor General

#### Pennsylvania Historical and Museum Commission

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Pennsylvania Historical and Museum Commission including historical research preparation erection and maintenance of historical markers maintenance and development of historical monuments and sites the sum of seven hundred six thousand five hundred dollars (\$706,500)

### II LEGISLATIVE DEPARTMENT

For the payment of the expenses of the Legislative Department for two years beginning June first one thousand nine hundred fifty-one and also for the expenses of the Session and recess of one thousand nine hundred fifty-one not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the Members of the Senate and House of Representatives of the Legislative Session of one thousand nine hundred fifty-three shall be paid by requisition of the Chief Clerk of the Senate or the Chief Clerk of the House of Representatives upon the Auditor General only after statement of the amounts due the several Senators and Members shall have been certified to the respective Chief Clerks by the President pro tempore of the Senate or Speaker of the House of Representatives and that the Senators and Members receiving fixed salaries for said Session shall be paid one-fifth of his total salary each month for the first four months of the Session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto

All compensation payable to officers and employes under the provisions of this act shall be payable semi-monthly on the fifteenth day and the last day of each month on requisition of the Chief Clerk of the Senate or of the House of Representatives as the case may be pursuant to certification of the officer under whose direction and control the officer or employe shall be

#### To the Senate

For the payment of the salaries of fifty Senators and extra compensation allowed by law to the President pro tempore of the Senate Session of one thousand nine hundred fifty-three the sum of two hundred fifteen thousand dollars (\$215,000)

For the payment of the expenses of Senators and extra compensation and expenses of chairmen of committees as provided by law the sum of one hundred eighty thousand dollars (\$180,000)

For the payment of the mileage of fifty Senators Session of one thousand nine hundred fifty-three the sum of eighteen thousand dollars (\$18,000)

For the payment of postage Session of one thousand nine hundred fifty-three for the Chief Clerk and assistants the sum of one hundred fifty dollars (\$150)



For the payment of postage Session of one thousand nine hundred fifty-three for the Lieutenant Governor the sum of one hundred fifty dollars (\$150)

To the Chief Clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars Session of one thousand nine hundred fifty-three the sum of four thousand five hundred dollars (\$4,500)

For the payment of the salaries of the officers and employees of the Senate Session of one thousand nine hundred fifty-three also for the payment of the Session and recess salaries of all officers and employees whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and Session salaries of the officers and employees of the Senate whose present salaries are provided for in this section the sum of one hundred ninety-five thousand dollars (\$195,000) for the two years beginning June first one thousand nine hundred fifty-one

For the payment of the mileage of the officers and employees of the Senate Session of one thousand nine hundred fifty-three the sum of two thousand seven hundred dollars (\$2,700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the Session of one thousand nine hundred fifty-three the sum of two thousand dollars (\$8,000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the Session of one thousand nine hundred fifty-three the sum of two thousand dollars (\$2,000)

For the payment of the salary of the two Clerks to the President of the Senate for two years beginning June first one thousand nine hundred fifty-one the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of eighteen thousand dollars (\$18,000)

For the payment of the salary of the Chief Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Secretary to the President pro tempore of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Librarian of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of thirteen thousand dollars (\$13,000)

For the payment of the salary of the Assistant to the Secretary of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand five hundred dollars (\$4,500)

For the payment of the salary of the Secretary to the President of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Library Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Majority Floor Leader of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Minority Floor Leader of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Senate Librarian for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salaries of two Watchmen of the

Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of nine thousand six hundred dollars (\$9,600)

For the payment of the salary of the Superintendent of the Storeroom of the Senate for two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Chief Custodian of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Custodian of the Basement of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salaries of Custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of thirteen thousand eight hundred dollars (\$13,800)

For the payment of the salary of the Messenger in the Senate Library for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of a Janitor for the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of three thousand nine hundred sixty dollars (\$3,960)

For the payment of the salary of one Senate Indexing Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salary of one Chief Compiling Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of eight thousand four hundred dollars (\$8,400)

For the payment of the salary of one Messenger to the Secretary of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of one Stenographer to the Chief Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salary of one Chief Sergeant at Arms for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of one Chief Mailing Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of one Clerk to the President Pro Tempore for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate Session of one thousand nine hundred fifty-one the sum of two thousand five hundred dollars (\$2,500)

For the payment of the expenses of the Committee on Appropriations of the Senate during the biennium June first one thousand nine hundred fifty-one and ending May thirty-first one thousand nine hundred fifty-three in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during Legislative Sessions and during the interim between Legislative Sessions the sum of thirty-five thousand dollars (\$35,000) to be paid on warrant of the Auditor General in favor of the



chairman of said committee on the presentation of his requisition for the same Of the sum herein appropriated not more than twenty-five thousand dollars (\$25,000) shall be expended prior to the beginning of the regular session of the General Assembly of one thousand nine hundred fifty-three If the term of office of the Chairman of the Committee on Appropriations shall terminate prior to the regular session of 1953 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of expenses incident to issuing certificate of election of Senators for the Session of one thousand nine hundred fifty-three the sum of seventy-five dollars (\$75) (act of June fourteenth one thousand nine hundred eleven (P. L. 926))

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate during the recess ending the first Tuesday of January one thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000) or as much thereof as may be necessary and for like expenses for the Session of one thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000)

For the payment of the necessary expenses including extra labor in the office of the Chief Clerk for the year ending May thirty-first one thousand nine hundred fifty-two the sum of seven thousand dollars (\$7,000) and for six months ending November thirtieth one thousand nine hundred fifty-two the sum of four thousand dollars (\$4,000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred fifty-two and the entire period of the Session of one thousand nine hundred fifty-three should the same extend beyond May thirty-first such sum as may be necessary to be expended by the Chief Clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said Chief Clerk shall at no time have in his hands more than two thousand dollars (\$2,000) for which accounts have not been rendered and settled and the whole amount expended by said Chief Clerk shall not exceed the sum of thirteen thousand dollars (\$13,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and Chief Clerk.

For the payment of the postage labor and incidental expenses in the office of the Secretary of the Senate for the year beginning June first one thousand nine hundred fifty-one the sum of five thousand dollars (\$5,000) and for the year beginning June first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000)

For the payment of postage labor express charges and all other expenses in the office of the Librarian of the Senate for the year beginning June first one thousand nine hundred fifty-one the sum of two thousand eight hundred dollars (\$2,800) and for the year beginning June first one thousand nine hundred fifty-two the sum of two thousand eight hundred dollars (\$2,800)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the Senate during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the contingent expenses including extra services of employees of the Senate and clerical stenographic traveling and discretionary charges of the Majority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of contingent expenses including extra services of employees of the Senate and clerical steno-

graphic traveling and discretionary charges of the Minority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of seven hundred fifty dollars (\$750) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the Senate during the recess ending December first one thousand nine hundred fifty-two the sum of two thousand dollars (\$2,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

To the Secretary of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of senators officers of the Senate or State officials during the two years beginning June first one thousand nine hundred fifty-one the sum of one thousand dollars (\$1,000)

#### To the House of Representatives

For the payment of the salaries of two hundred and eight Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House of Representatives Session one thousand nine hundred fifty-three the sum of one million forty-one thousand dollars (\$1,041,000)

For the payment of expenses of Members of the House of Representatives and extra compensation and expenses of chairmen of committees as provided by law the sum of seven hundred forty-eight thousand eight hundred dollars (\$748,800)

For the payment of the mileage of two hundred and eight Members of the House of Representatives Session of one thousand nine hundred fifty-three the sum of eighty-five thousand dollars (\$85,000)

For the payment of postage session of one thousand nine hundred fifty-three to the Chief Clerk and assistants the sum of one hundred fifty dollars (\$150)

To the Chief Clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars Session of one thousand nine hundred fifty-three the sum of twelve thousand five hundred dollars (\$12,500)

For the payment of salaries of the officers and employees of the House of Representatives Session of one thousand nine hundred fifty-three also for the payment of the Session and recess salaries of all officers and employees whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may nor or hereafter be authorized in the recess and Session salaries of all the officers and employees of the House of Representatives whose present salaries are provided for in this section the sum of two hundred thirty-seven thousand dollars (\$237,000) for the two years beginning June first one thousand nine hundred fifty-one

For the payment of the mileage of the officers and employees of the House of Representatives Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the Session of one thousand nine hundred fifty-three the sum of thirteen thousand dollars (\$13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the Session of one thousand nine hundred fifty-three the sum of three thousand dollars (\$3,000)

For the payment of the salary of the Chief Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of eighteen thousand dollars (\$18,000)

For the payment of the salary of the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Assistant to the Chief Clerk of the House of Representatives for the two



years beginning June first one thousand nine hundred fifty-one the sum of ten thousand dollars (\$10,000)

For the payment of the salary of the Stenographer to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Secretary to the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Messenger to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of the Secretary to the Majority Floor Leader of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Minority Floor Leader of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Administrative Assistant to the Speaker for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Clerk to the Speaker for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Superintendent of Storerooms of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of nine thousand six hundred dollars (\$9,600)

For the payment of the salary of the Secretary to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Chief Custodian of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand eight hundred dollars (\$4,800)

For the payment of the salaries of the four Custodians of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seventeen thousand six hundred dollars (\$17,600)

For the payment of the salary of the Clerk to the Secretary for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Secretary to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the Amendment Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Supply Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of the Compiling Clerk of the House of Representatives for the two years begin-

ning June first one thousand nine hundred fifty-one the sum of nine thousand dollars (\$9,000)

For the payment of the salary of the Finance Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of eight thousand dollars (\$8,000)

For the payment of the salary of the Library Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand four hundred dollars (\$6,400)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) or as much thereof as may be necessary and for like expenses for the Session of one thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000)

For the payment of necessary expenses including extra labor in the office of the Chief Clerk and Library for the year beginning June first one thousand nine hundred fifty-one the sum of nineteen thousand dollars (\$19,000) and for the six months beginning June first one thousand nine hundred fifty-two the sum of nine thousand one hundred dollars (\$9,100)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred fifty-two and for the entire period of the Session of one thousand nine hundred fifty-three should the same extend beyond May thirty-first to be expended by the Chief Clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts The whole amount thus expended by the Chief Clerk shall not exceed the sum of twenty-six thousand dollars (\$26,000)

To the Chief Clerk of the House of Representatives for the payment of extra services in connection with the compilation of the history of legislation in the House of Representatives Session of one thousand nine hundred fifty-one the sum of two thousand five hundred dollars (\$2,500)

For the payment of the expenses of the Committee on Appropriations of the House of Representatives during the biennium beginning June first one thousand nine hundred fifty-one in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the House of Representatives during Legislative Sessions and during the interim between Legislative Sessions the sum of thirty-five thousand dollars (\$35,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same of the sum herein appropriated not more than twenty-five thousand dollars (\$25,000) shall be expended prior to the beginning of the regular Session of the General Assembly of nineteen hundred fifty-three The chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of the postage clerical stenographic and express charges and all other expenses in the office of the Secretary of the House of Representatives for the year beginning June first one thousand nine hundred fifty-one the sum of five thousand five hundred dollars (\$5,500) and for the year beginning June first one thousand nine hundred fifty-two the sum of five thousand five hundred dollars (\$5,500)

For the payment of the contingent expenses including



clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of two thousand five hundred dollars (\$2,500) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Majority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Minority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of seven hundred fifty dollars (\$750) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of the expenses incident to issuing certificates of election to Members of the House of Representatives for the Session of one thousand nine hundred and fifty-three (act of June fourteenth one thousand nine hundred eleven (P. L. 926) the sum of seven hundred fifty dollars (\$750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the Chief Clerk of the House of Representatives for the payment of the expenses of the House of Representatives or committee of the House of Representatives in attending funerals or expenses incident thereto of Members of the House of Representatives officers of the House of Representatives or State officials during the two years beginning June first one thousand nine hundred fifty-one the sum of three thousand dollars (\$3,000)

#### Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

For the work of the Legislative Journal officials after the close of the Session of one thousand nine hundred fifty-one on the Legislative Journal also the proofreading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars (\$4,500)

#### Legislative Miscellaneous

For the payment of traveling and other expenses of the Members of the General Assembly of Pennsylvania appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives in attending the meetings of the American Legislators' Association and the Council of State Governments the sum of two thousand five hundred dollars (\$2,500) to be paid on warrants of the Auditor General in favor of the President pro tempore of the Senate or the Speaker of the House of Representatives on presentation of his requisition for the same The President pro tempore or the Speaker shall file an accounting of said expenses with the Auditor General

For the payment of premiums on surety bonds for chairman and officers of the Senate and House of Representatives to be paid by Chief Clerks of each House for the two years beginning June first one thousand nine hundred fifty-one the sum of eight hundred dollars (\$800)

#### The Electoral College

For the payment of the expense of the Electoral College of one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) to be paid on requisition of the Auditor General

#### To the Legislative Reference Bureau

For the payment of the salaries and other compensation of the director assistant director librarian attorneys-at-law clerks secretaries stenographers typists messengers and other employes permanently employed for the two fiscal years beginning June first one thousand nine hundred fifty-one and for those temporarily employed until the end of the Session of the General Assembly of one thousand nine hundred fifty-three and for maintenance law books reference material incidental equipment and supplies traveling expenses and incidental expenses the sum of one hundred seventy thousand dollars (\$170,000)

#### III JUDICIAL DEPARTMENT

For the payment of the salaries of the Judges of the Supreme Court and Superior Court the salaries and mileage of the president and other law Judges of the several courts of Common Pleas in the Commonwealth and the Judges of the several Orphans' Courts and for the compensation of Common Pleas Judges holding court in other districts and for the payment of salaries and mileage of Associate Judges the following sums or as much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred fifty-one payments to be made monthly by warrant drawn by the Auditor General on the State Treasury

#### Supreme Court

For the payment of the salaries of the Supreme Court Judges the sum of three hundred forty-two thousand eight hundred thirty-five dollars (\$342,835)

For the payment of the salaries or compensation of the briefers investigators stenographers typists and clerks and to reimburse the Judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars (\$56,000)

For the payment of salaries wages and other compensation of a Deputy Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Eastern district and employes in the library of the Supreme Court at Philadelphia for the purchase of stationery supplies and the payment of the necessary expenses of the Supreme Court for the Eastern district thereof for the purchase of books and necessary expenses of the library of the Supreme Court at Philadelphia the sum of seventy-four thousand nine hundred fifty dollars (\$74,950)

For the payment of salaries wages and other compensation of a Deputy Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Western district thereof for the purchase of stationery supplies books for the library and other necessary expenses of the Supreme Court Western district the sum of forty-four thousand dollars (\$44,000)

For the payment of salaries wages or other compensation of the Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Middle district and for the payment of expenses for the Supreme Court in the Middle district and the Superior Court at Harrisburg the sum of seventeen thousand one hundred dollars (\$17,100)

For the payment of the salary and expenses of the criers tipstaves official stenographers court officers and law secretary of the Chief Justice of the Eastern Middle and Western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of one hundred fifty thousand dollars (\$150,000)

Provided That the crier for the Middle district shall receive no other compensation from the State



For the payment of the fees of the Prothonotaries of the Supreme Court of the Eastern Middle and Western districts on assignment of Judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred nineteen the sum of five thousand five hundred dollars (\$5,500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of ten thousand dollars (\$10,000)

For the payment of the expenses of the Procedural Rules Committee appointed by the Supreme Court to assist it in the preparation revision promulgation publication and administration of general rules of practice for the courts of this Commonwealth the sum of twenty-five thousand dollars (\$25,000)

For the payment of the cost of painting a portrait of Chief Justice George W Maxey the sum of seven hundred fifty dollars (\$750)

For the payment of the salaries and expenses of the State Board of Law Examiners the sum of sixty thousand dollars (\$60,000)

For the payment of the salaries and expenses of the office of the State Reporter the sum of fifty-four thousand six hundred forty dollars (\$54,640)

In the case of necessary expenses stationery supplies and books for the Eastern Western and Middle districts herein provided for the same shall be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the Prothonotary of the said Supreme Court for the particular district thereof

#### Superior Court

For the payment of the salaries of the Judges of the Superior Court the sum of three hundred fourteen thousand eight hundred thirty-five dollars (\$314,835)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typists of the Superior Court and to reimburse the Judges of the said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars (\$49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court and for premiums for workmen's compensation insurance covering all employees of the Superior Court the sum of one hundred two thousand six hundred dollars (\$102,600)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court or its officers the sum of fifteen thousand dollars (\$15,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the Prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

#### Common Pleas Court

For the payment of the salaries of the Judges of the Courts of Common Pleas learned in the law in the several Judicial districts of the Commonwealth the sum of four million one hundred seventy-two thousand nine hundred twenty-five dollars (\$4,172,925)

For the payment of the compensation carfare and expenses of Judges for holding court outside of their own Judicial districts in accordance with law the sum of seventy-five thousand dollars (\$75,000)

For the payment of mileage allowed Common Pleas Judges in Judicial districts containing more than one county as provided by law the sum of five thousand dollars (\$5,000)

For the payment of the Judges of the Courts of Common Pleas of Dauphin County for clerk hire in accordance with the law and for premiums for workmen's compensation insurance covering such clerks the sum of fifty thousand dollars (\$50,000)

#### Orphans' Court

For the payment of the salaries of the Orphans' Court Judges in the several Judicial districts in which separate

Orphans' Courts have been established by law the sum of seven hundred ninety-three thousand dollars (\$793,000)

#### Municipal Court of Philadelphia

For the payment of the salaries of the Judges of the Municipal Court of Philadelphia in accordance with law the sum of three hundred fifty-five thousand six hundred seventy dollars (\$355,670)

#### County Court of Allegheny County

For the payment of the salaries of the Judges of the County Court for County of Allegheny the sum of one hundred sixty-two thousand dollars (\$162,000)

#### To the Juvenile Court of Allegheny County

For the payment of the salary of the Judges of the Juvenile Court of the County of Allegheny the sum of twenty-six thousand eight hundred thirty-five dollars (\$26,835)

#### Retired Judges

For the payment of the salaries of the Judges of the Supreme Superior Common Pleas and Orphans' Courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred nineteen (P. L. 461) the sum of eighty-one thousand dollars (\$81,000)

#### Associate Judges

For the payment of the salaries of the Associate Judges the sum of ninety thousand dollars (\$90,000)

For the payment to Associate Judges of mileage for the two fiscal years beginning June first one thousand nine hundred fifty-one the sum of seven thousand dollars (\$7,000)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior Session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with sections 604 605 and 606 of The Administrative Code

Section 5 The term "employees" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board or commission

Section 6 The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums or workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

On the question,

Will the Senate adopt the report of the Committee of Conference?



# SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1421

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1421.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## HOUSE MESSAGE

### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1641

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the appointment of special school police and defining powers and duties.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

## COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 668, PRINTER'S No. 357

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 668, Printer's No. 357, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.

### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION DESIGNATING ROUTE No. 322 AS THE RAY F. SMOCK MEMORIAL HIGHWAY AND BRIDGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution designating the portion of State Highway from Conneaut Lake to Meadville, Crawford County, known as U. S. Route No. 322, including the overhead bridge and viaduct leading into the City of Meadville, as the Ray F. Smock Memorial Highway and Bridge.

JOHN S. FINE.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

### CLERK OF THE COURT OF QUARTER SESSIONS OF THE PEACE AND CLERK OF THE COURT OF OYER AND TERMINER, COUNTY OF ALLEGHENY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leonard J. Parsons, 474 Summit Drive, Mt. Lebanon, Allegheny County, for appointment as Clerk of the Court of Quarter Sessions of the Peace and Clerk of the Court of Oyer and Terminer, in and for the County of Allegheny, until the first Monday of January 1954, vice John J. McLean, deceased.

JOHN S. FINE.

### SHERIFF, ALLEGHENY COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas E. Whitten, 939 Mifflin Avenue, Wilkesburg, Allegheny County, for appointment as Sheriff in and for the County of Allegheny, until the first Monday of January 1954, vice Walter C. Monaghan, deceased.

JOHN S. FINE.

### MEMBERS OF THE STATE BOARD OF PHARMACY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Board of Pharmacy:

Jacob H. Katz, Philadelphia, from September 12, 1950, for the term of six years, and until his successor shall have been appointed and qualified.



Edward W. Tighe, Lancaster, from September 12, 1950, for the term of six years, and until his successor shall have been appointed and qualified.

Edward C. Ifft, Pittsburgh, from September 12, 1950, for the term of six years, and until his successor shall have been appointed and qualified.

S. Bascombe Alloway, Erie, from September 12, 1950, for the term of six years, and until his successor shall have been appointed and qualified.

John J. Hughes, 187 Hanover Street, Wilkes-Barre, Luzerne County, for the term of six years, and until his successor shall have been appointed and qualified, vice Fred D. Costenbader, Palmerton, whose term expired.

JOHN S. FINE.

#### MEMBERS OF THE MUNICIPAL EMPLOYEES' RETIREMENT BOARD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Municipal Employes' Retirement Board:

H. Ober Hess, Norristown, from June 22, 1950, and until his successor has been appointed and qualified.

J. Lloyd Loushay, Athens, from November 17, 1950, for the term of two years, and until his successor has been appointed and qualified.

Andrew Garber, Wilkes-Barre, from November 17, 1950, for the term of two years, and until his successor has been appointed and qualified.

JOHN S. FINE.

#### MEMBER OF THE PENNSYLVANIA AERONAUTICS COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Honorable Albert R. Pechan, Ford City, Armstrong County, for appointment as a member of the Pennsylvania Aeronautics Commission, until December 1, 1952, and until his successor shall be duly appointed and shall have qualified, vice Honorable T. Newell Wood, resigned.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Philadelphia State Hospital:

Furey Ellis, Philadelphia, from August 18, 1949, for the term of four years, and until his successor is qualified.

H. Clayton Moyer, Perkasio, from August 18, 1949, for the term of four years, and until his successor is qualified.

Meade L. Barr, Haverford, from August 18, 1949, for the term of four years, and until his successor is qualified.

Louis C. Spring, Bristol, from August 18, 1949, for the term of four years, and until his successor is qualified.

William W. Bodine, Villa Nova, from August 18, 1949, for the term of four years, and until his successor is qualified.

E. Washington Rhodes, Philadelphia, from August 18, 1949, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

#### NOMINATIONS BY THE GOVERNOR

##### NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

##### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on December 21, 1951.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

##### PHILADELPHIA COUNTY

Elwood M. Goodman, 4627 Old York Rd.

##### YORK COUNTY

Ervin J. Bentzel, York.

Mrs. Regina T. Zimmerman, York.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

##### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

##### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 219

Mr. MAHANY. Mr. President, I submit the report of

the Committee of Conference on Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

#### MEMBERS OF THE STATE BOARD OF PHARMACY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Board of Pharmacy:

Jacob H. Katz, Philadelphia, from September 12, 1950, for the term of six years, and until his successor shall have been appointed and qualified.

Edward W. Tighe, Lancaster, from September 12, 1950, for the term of six years, and until his successor shall have been appointed and qualified.

Edward C. Ifft, Pittsburgh, from September 12, 1950, for the term of six years, and until his successor shall have been appointed and qualified.

S. Bascombe Alloway, Erie, from September 12, 1950, for the term of six years, and until his successor shall have been appointed and qualified.

John J. Hughes, 187 Hanover Street, Wilkes-Barre, Luzerne County, for the term of six years, and until his successor shall have been appointed and qualified, vice Fred D. Costenbader, Palmerton, whose term expired.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Philadelphia State Hospital:

Furey Ellis, Philadelphia, from August 18, 1949, for the term of four years, and until his successor is qualified.

H. Clayton Moyer, Perkasio, from August 18, 1949, for the term of four years, and until his successor is qualified.

Meade L. Barr, Haverford, from August 18, 1949, for the term of four years, and until his successor is qualified.

Louis C. Spring, Bristol, from August 18, 1949, for the term of four years, and until his successor is qualified.

William W. Bodine, Villa Nova, from August 18, 1949, for the term of four years, and until his successor is qualified.

E. Washington Rhodes, Philadelphia, from August 18, 1949, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

#### MEMBERS OF THE MUNICIPAL EMPLOYEES' RETIREMENT BOARD

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Municipal Employees' Retirement Board:

H. Ober Hess, Norristown, from June 22, 1950, and until his successor has been appointed and qualified.

J. Lloyd Loushay, Athens, from November 17, 1950, for the term of two years, and until his successor has been appointed and qualified.

Andrew Garber, Wilkes-Barre, from November 17, 1950, for the term of two years, and until his successor has been appointed and qualified.

JOHN S. FINE.

#### MEMBER OF THE PENNSYLVANIA AERONAUTICS COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Honorable Albert R. Pechan, Ford City, Armstrong County, for appointment as a member of the Pennsylvania Aeronautics Commission, until December 1, 1952, and until his successor shall be duly appointed and shall have qualified, vice Honorable T. Newell Wood, resigned.

JOHN S. FINE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of the Eastern State Penitentiary:

Fred T. Corleto, Philadelphia, from November 4, 1949, for the term of four years, and until his successor is qualified.

William Reinhardt, Philadelphia, from November 21, 1949, for the term of four years, and until his successor is qualified.

Vincent DeP. Henderson, Wyncote, from January 9, 1950, for the term of four years, and until his successor is qualified.

Frank M. Speakman, Philadelphia, from January 9, 1950, for the term of four years, and until his successor is qualified.

JOHN S. FINE.



## MEMBERS OF THE STATE ADVISORY COUNCIL

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Advisory Council:

Penrose Hertzler, Pottsville, from March 9, 1950, until terminated.

C. W. Hudson, Emporium, from March 9, 1950, until terminated.

Earl C. Bohr, Harrisburg, from March 9, 1950, until terminated.

Harry Boyer, Harrisburg, from March 9, 1950, until terminated.

Lester Thomas, Harrisburg, from March 9, 1950, until terminated.

William A. Baird, Cambridge Springs, from March 9, 1950, until terminated.

Mrs. Martha Sloan, Pittsburgh, from March 9, 1950, until terminated.

J. Harry LaBrum, Philadelphia, from April 24, 1950, until terminated.

Robert L. Zullinger, Merion, from September 25, 1950, until terminated.

JOHN S. FINE.

## MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute:

Persival E. Foerderer, Bryn Mawr, from May 13, 1949, for the term of five years, and until his successor shall have been appointed and qualified.

J. L. Kauffman, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

William N. Parkinson, Philadelphia, from May 13, 1949, for the term of five years, and until his successor shall have been appointed and qualified.

Robert L. Johnson, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

William H. DuBarry, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

Charles L. Brown, Philadelphia, from May 13, 1949, for the term of five years, and until his successor shall have been appointed and qualified.

Charles A. Allen, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

Marion Fay, Philadelphia, from May 13, 1949, for the term of five years, and until his successor shall have been appointed and qualified.

Donald C. Rubel, Philadelphia, from May 13, 1949, for the term of three years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

## EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. KEPHART,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations just reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WALKER, That the Senate do advise and consent to the nominations just reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid on the table under the rules.

## SHERIFF, ALLEGHENY COUNTY

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas E. Whitten, 939 Mifflin Avenue, Wilkinsburg, Allegheny County, for appointment as Sheriff in and for the County of Allegheny, until the first Monday of January 1954, vice Walter C. Monaghan, deceased.

JOHN S. FINE.

CLERK OF THE COURT OF QUARTER SESSIONS OF  
THE PEACE AND CLERK OF THE COURT OF  
OYER AND TERMINER, COUNTY OF  
ALLEGHENY

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leonard J. Parsons, 474 Summit Drive, Mt. Lebanon, Allegheny County, for appointment as Clerk of the Court of Quarter Sessions of the Peace and Clerk of the Court of Oyer and Terminer, in and for the County of Allegheny, until the first Monday of January 1954, vice John J. McLean, deceased.

JOHN S. FINE.

SENATE BILL No. 668 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 668.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 668

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 668, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

passed finally.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 3, line 1, by striking out at the end of the line, after the word "have," the following: "two" and inserting in lieu thereof, the following "three."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing on final passage.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL NO. 1742

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1742, entitled:

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 241, entitled:

An Act to amend section six hundred forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by increasing the age range of children prohibited admittance to moving picture theatres during school hours.

House Bill No. 545, entitled:

An Act to amend Subsection (f) of Section 302, of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," by providing that employers reserve accounts shall not be charged with compensation paid to certain employees.

House Bill No. 587, entitled:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed and regulating the proceedings pertaining thereto.

House Bill No. 609, entitled:

An Act to further amend Sections 10 and 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

House Bill No. 759, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation, protection and development of buildings and grounds at Ephrata Cloisters, a famous historical shrine belonging to the Commonwealth.



House Bill No. 1113, entitled:

An Act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended "Liquid Fuels Tax Law," by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith.

House Bill No. 1308, entitled:

An Act to further amend sections two and seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "Municipal Employees Retirement Law," by further defining the term "municipality" to include joint-county departments of health, by defining the term "joint county health commission," and by providing that joint-county departments of health may join the retirement system.

House Bill No. 1381, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board of Private Trade Schools; and prescribing penalties," by further defining "agent"; prohibiting agents from representing more than one school; clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees.

House Bill No. 1441, entitled:

An Act to further amend clauses (a), (c) and (d) of section three hundred six and section four hundred ten of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "Workmen's Compensation Act of 1915," by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability and changing procedure.

House Bill No. 1442, entitled:

An Act to further amend the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.

House Bill No. 1658, entitled:

A Joint Resolution proposing an amendment to article eight, section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

House Bill No. 1704, entitled:

An Act to further amend section 4 and 8 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly,

and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the salary of members of the General Assembly, and providing a salary and payment of expenses in the event of annual sessions.

House Bill No. 1739, entitled:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence, records, reports and other papers; and for studying and recommending filing systems or the use of space by departments, boards and commissions.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 11:30 o'clock, p. m., Eastern Standard Time.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

## MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Shamokin State Hospital, from May 1, 1950, for the term of four years, and until their successors are qualified:

W. Irvine Wiest, Shamokin.

Mrs. Pearl V. Simmonds, Shamokin.

John F. Oshinskie, Shamokin.

Ralph H. Steinhart, Shamokin.

Frank A. Miller, Mt. Carmel.

W. R. Buckley, Mt. Carmel.

Stephen F. Kocis, Mt. Carmel.

Fred D. Kessler, Northumberland.

JOHN S. FINE.

## MEMBERS OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following persons for appointment as members of the Wayne County Board of Assistance:

Robert Gilchrist (Republican), Lake Como, from January 1, 1952, until December 31, 1954, and until his successor is duly appointed and qualified, vice Millard Transue, Orson, whose term expires.

Mrs. Catherine Hippensteel (Republican) Honesdale, until December 31, 1951, and until her successor is duly appointed and qualified. (Reappointment)

John Bigart (Republican), Lake Ariel, from May 12, 1950, until December 31, 1952.

William Robacker (Republican), South Sterling, until December 31, 1953, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Blanche Lorenson (Republican), South Canaan, from May 12, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

William Scheerer (Republican), Hawley, from May 12, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Mrs. Edna Barry (Democrat), South Sterling, until December 31, 1953, and until her successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

#### MEMBERS OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Lancaster County Board of Assistance:

Mrs. Irene R. Weidman (Republican), 113 East Main Street, Ephrata, from September 28, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Reverend George Shea (Republican), Quarryville, until December 31, 1952. (Reappointment)

Mrs. Carey Foltz (Democrat), 506 Wilson Drive, Lancaster, until December 31, 1951, and until her successor is duly appointed and qualified. (Reappointment)

W. Douglas Darmstaetter (Republican), 1311 Clayton Road, Lancaster, until December 31, 1952. (Reappointment)

Dr. V. W. Dippell (Republican), 520 N. President Avenue, Lancaster, until December 31, 1952, and until his successor is duly appointed and qualified (Reappointment)

Scott W. Baker (Republican), 445 N. Duke St., Lancaster, until December 31, 1953, and until his successor is duly appointed and qualified (Reappointment)

Dr. J. D. Denney, 30 South Second Street, Columbia, until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

#### MEMBERS OF THE YORK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the York County Board of Assistance:

William F. Allen (Republican), York, until December

31, 1952, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Gertrude M. Fitzgerald (Republican) York, until December 31, 1952, and until her successor is duly appointed and qualified. (Reappointment)

A. D. Cohn (Democrat), 210 Elmwood Boulevard, York, until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

Mrs. Clarisse H. Markowitz (Democrat), 1926 E. Wallace Street, York, until December 31, 1953, and until her successor is duly appointed and qualified, to fill a vacancy.

Walter H. Katherman, Jr. (Republican), 472 West Market Street, York, until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

Elmer M. Morris (Republican), 1411 Second Avenue, York, until December 31, 1951, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

#### MEMBER OF THE BOARD OF TRUSTEES OF WOODVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Labowitz, 1240 Murdoch Street, Pittsburgh, Allegheny County, for reappointment as a member of the Board of Trustees of Woodville State Hospital, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

#### CORONER, SOMERSET COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. C. T. Saylor, Rockwood, Somerset County, for appointment as Coroner in and for the County of Somerset, until the first Monday of January 1954, to compute from January 7, 1952, vice Dr. A. M. Uphouse, resigned.

JOHN S. FINE.

(The Senate was at ease.)

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

#### CORONER, SOMERSET COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. C. T. Saylor, Rockwood, Somerset County, for appointment as Coroner in and for the County of Somerset, until the



first Monday of January 1954, to compute from January 7, 1952, vice Dr. A. M. Uphouse, resigned.

JOHN S. FINE.

#### MEMBERS OF THE YORK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the York County Board of Assistance:

William F. Allen (Republican), York, until December 31, 1952, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Gertrude M. Fitzgerald (Republican) York, until December 31, 1952, and until her successor is duly appointed and qualified. (Reappointment)

A. D. Cohn (Democrat), 210 Elmwood Boulevard, York, until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

Mrs. Clarisse H. Markowitz (Democrat), 1926 E. Wallace Street, York, until December 31, 1953, and until her successor is duly appointed and qualified, to fill a vacancy.

Walter H. Katherman, Jr. (Republican), 472 West Market Street, York, until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

Elmer M. Morris (Republican), 1411 Second Avenue, York, until December 31, 1951, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

#### MEMBERS OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Wayne County Board of Assistance:

Robert Gilchrist (Republican), Lake Como, from January 1, 1952, until December 31, 1954, and until his successor is duly appointed and qualified, vice Millard Transue, Orsom, whose term expires.

Mrs. Catherine Hippensteel (Republican) Honesdale, until December 31, 1951, and until her successor is duly appointed and qualified. (Reappointment)

John Bigart (Republican), Lake Ariel, from May 12, 1950, until December 31, 1952

William Robacker (Republican), South Sterling, until December 31, 1953, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Blanche Lorensen (Republican), South Canaan, from May 12, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

William Scheerer (Republican), Hawley, from May 12, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Mrs. Edna Barry (Democrat), South Sterling, until December 31, 1953, and until her successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

#### MEMBERS OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Lancaster County Board of Assistance:

Mrs. Irene R. Weidman (Republican), 113 East Main Street, Ephrata, from September 28, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Reverend George Shea (Republican), Quarryville, until December 31, 1952. (Reappointment)

Mrs. Carey Foltz (Democrat), 506 Wilson Drive, Lancaster, until December 31, 1951, and until her successor is duly appointed and qualified. (Reappointment)

W. Douglas Darmstaetter (Republican), 1311 Clayton Road, Lancaster, until December 31, 1952. (Reappointment)

Dr. V. W. Dippell (Republican), 520 N. President Avenue, Lancaster, until December 31, 1952, and until his successor is duly appointed and qualified (Reappointment)

Scott W. Baker (Republican), 445 N. Duke St., Lancaster, until December 31, 1953, and until his successor is duly appointed and qualified (Reappointment)

Dr. J. D. Denney, 30 South Second Street, Columbia, until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

#### MEMBER OF THE BOARD OF TRUSTEES OF WOODVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Labowitz, 1240 Murdoch Street, Pittsburgh, Allegheny County, for reappointment as a member of the Board of Trustees of Woodville State Hospital, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. FREED, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations just reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. FREED, That the Senate do advise and consent to the nominations just reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. FREED. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE ON  
EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which was laid on the table under the rules:

MEMBERS OF THE BOARD OF TRUSTEES OF  
SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Shamokin State Hospital, from May 1, 1950, for the term of four years, and until their successors are qualified:

W. Irvine Wiest, Shamokin.  
Mrs. Pearl V. Simmonds, Shamokin.  
John F. Oshinskie, Shamokin.  
Ralph H. Steinhart, Shamokin.  
Frank A. Miller, Mt. Carmel.  
W. R. Buckley, Mt. Carmel.  
Stephen F. Focis, Mt. Carmel.  
Fred D. Kessler, Northumberland.

JOHN S. FINE.

COMMUNICATION FROM THE GOVERNOR  
REFERRED TO COMMITTEE ON EXECUTIVE  
NOMINATIONS

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

RECALLING THE NOMINATION OF LEONARD J.  
PARSONS AS CLERK OF THE COURT OF QUARTER  
SESSIONS OF THE PEACE AND CLERK OF THE  
COURT OF OYER AND TERMINER, COUNTY  
OF ALLEGHENY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 21, 1951, for the appointment of Leonard J. Parson, 474 Summit Drive, Mt. Lebanon, Allegheny County, as Clerk of the Court of Quarter Sessions of the Peace and Clerk of the Court of Oyer and Terminer, in and for the County of Allegheny, until the first Monday of January 1954, vice John J. McLean, deceased.

I respectfully request the return to me of the official message of nomination in the premises.

JOHN S. FINE.

## ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Saturday, December 22, 1951, at 12:30 o'clock, a. m., Eastern Standard Time.

Mr. FREED. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Saturday, December 22, 1951, at 12:30 o'clock a. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

FRIDAY, December 21, 1951.

The House met at 12:00 o'clock noon.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

Reverend John Yates, guest Chaplain and clergyman of the Presbyterian Church, Harrisburg, offered the following prayer:

Most Gracious God, we humbly pray Thee to bless the Legislature of this State. Guide these legislators so that by their work, the welfare and honor of the Commonwealth may be advanced; through Jesus Christ, Our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Thursday, December 20, 1951? If not, and without objection, the Journal is approved.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 871, as follows:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of electing representatives of the people of Pennsylvania to serve the House of Repre-



sentatives in the Congress of the United States this Commonwealth shall be divided into thirty (30) districts which shall have one Congressman each as follows

The First District shall consist of the first second third fourth twenty-sixth thirtieth thirty-sixth thirty-ninth and forty-eighth wards of the City of Philadelphia

The Second District shall consist of the twenty-seventh thirty-fourth fortieth forty-fourth forty-sixth fifty-first and fifty-second wards of the City of Philadelphia

The Third District shall consist of the fifth sixth seventh eighth ninth tenth eleventh twelfth thirteenth fourteenth fifteenth sixteenth seventeenth eighteenth nineteenth twentieth twenty-fifth thirty-first and forty-fifth wards of the City of Philadelphia

The Fourth District shall consist of the twenty-fourth twenty-eighth twenty-ninth thirty-second thirty-seventh thirty-eighth and forty-seventh wards of the City of Philadelphia

The Fifth District shall consist of the twenty-third thirty-third thirty-fifth forty-first and forty-third wards of the City of Philadelphia

The Sixth District shall consist of the twenty-first twenty-second forty-second forty-ninth and fiftieth wards of the City of Philadelphia

The Seventh District shall consist of the County of Delaware

The Eighth District shall consist of the counties of Bucks and Lehigh

The Ninth District shall consist of the counties of Lancaster and Chester

The Tenth District shall consist of the counties of Lackawanna Wyoming Sullivan Susquehanna Wayne and Pike

The Eleventh District shall consist of the county of Luzerne

The Twelfth District shall consist of the counties of Schuylkill and Northumberland

The Thirteenth District shall consist of the county of Montgomery

The Fourteenth District shall consist of the county of Berks

The Fifteenth District shall consist of the counties of Northampton Carbon and Monroe

The Sixteenth District shall consist of the counties of Lebanon Dauphin Perry and Juniata

The Seventeenth District shall consist of the counties of Lycoming Columbia Montour Clinton Cameron Potter Tioga and Bradford

The Eighteenth District shall consist of the counties of Union Snyder Mifflin Huntingdon Fulton Franklin Bedford and Somerset

The Nineteenth District shall consist of the counties of York Adams and Cumberland

The Twentieth District shall consist of the counties of Blair Centre and Clearfield

The Twenty-first District shall consist of the county of Westmoreland

The Twenty-second District shall consist of the counties of Cambria Indiana and Armstrong

The Twenty-third District shall consist of the counties of Jefferson Clarion Venango Forest Elk McKean and Warren

The Twenty-fourth District shall consist of the counties of Erie Crawford and Mercer

The Twenty-fifth District shall consist of the counties of Butler Lawrence and Beaver

The Twenty-sixth District shall consist of the counties of Greene Washington and Fayette

The Twenty-seventh District shall consist of the nineteenth twentieth twenty-eighth twenty-ninth thirtieth and thirty-second wards of the City of Pittsburgh the City of Clairton the Boroughs of Baldwin Bethel Brentwood Bridgeville Carnegie Castle Shannon Coraopolis Crafton Dormont Green Tree Heidelberg Ingram Jefferson Mount Oliver McKees Rocks Oakdale Rosslyn Farms Thornburg West Elizabeth Whitehall part of McDonald Borough in Allegheny County and Pleasant Hills and the Townships of Baldwin Collier Crescent Findley Kennedy Mount Lebanon Moon Neville North Fayette Robinson Scott Snow-

den South Fayette Upper Saint Clair and Stowe all in the County of Allegheny

The Twenty-eighth District shall consist of the first second third fourth fifth sixth seventh eighth ninth tenth eleventh twelfth thirteenth fourteenth twenty-second twenty-third and twenty-fourth wards of the City of Pittsburgh

The Twenty-ninth District shall consist of the twenty-first twenty-fifth twenty-sixth and twenty-seventh wards of the City of Pittsburgh the Boroughs of Aspinwall Avalon Bellevue Ben Avon Ben Avon Heights Blawnox Brackenridge Bradford Woods Cheswick Churchill Edgewood Edgeworth Emsworth Etna Fox Chapel Glenfield Haysville Leetsdale Millvale Oakmont Osborne Sewickley Sewickley Heights Sharpsburg Springdale Tarentum Verona West View and Wilkinsburg and the townships of Aleppo East Deer Fawn Franklin Frazer Hampton Harrison Har-mar Indiana Kilbuck Leet Marshall McCandless O'Hara Ohio Penn Pine Plum Reserve Richland Ross Sewickley Sewickley Heights Shaler Springdale and West Deer all in the County of Allegheny

The Thirtieth District shall consist of the fifteenth sixteenth seventeenth eighteenth and thirty-first wards of the City of Pittsburgh the Cities of Duquesne and McKeesport the Boroughs of Braddock Braddock Hills Chalfant Dravosburg East Pittsburgh East McKeesport Eden Park Elizabeth Forest Hills Glassport Homestead Liberty Monroeville Munhall North Braddock Pitcairn Port Vue Rankin Swissvale Turtle Creek Versailles Wall Whitaker West Homestead West Mifflin Wimerding Trafford (part of which is in Allegheny County) and White Oak and the townships of Elizabeth Forward Lincoln North Versailles South Versailles and Wilkins all in the County of Allegheny

Section 2 The first election under this act shall be held at the primary election in the year one thousand nine hundred fifty-two

The Members of Congress now in office shall continue in such office until the expiration of their respective terms

Vacancies now existing or happening after the passage of this act and before the commencement of the terms of the members elected at the election of one thousand nine hundred fifty-two shall be filled for the unexpired terms in the manner now provided by law

Section 3 The act approved the eighth day of May one thousand nine hundred forty-three (P. L. 256) entitled "An act to apportion the Commonwealth of Pennsylvania into Congressional Districts" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RIGBY. I am going to object to this particular bill on the matter of reapportionment. I am one hundred percent for reapportionment, but I want to voice my objections to the way this bill has been written and what it has done to Allegheny County. In my particular district, we have been robbed.

I feel myself in a position where I have to vote for a bad bill as far as Allegheny County is concerned. I am going to vote "aye."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Amarando,  
Andrews,  
Barkdoll,

Good,  
Goodling,  
Graybill,

Madden,  
Madigan,  
Markley,

Rose,  
Rosen,  
Rovansek,



Baumunk,	Greer,	Maxwell,	Royer,
Beaer,	Guarnieri,	Mazza,	Rubin,
Beaver,	Gutendorf,	McConnell,	Sarra,
Beech,	Guthrie,	McCormack,	Sax,
Berkstresser,	Hagerty,	McCullough,	Scanlon,
Blair,	Hall,	McDermitt,	Schmidt,
Bloom,	Hamilton, R. K.,	McGee,	Schuster,
Boles,	Hamilton, W. H.,	McInroy,	Scott,
Boiton,	Harney,	McKinney,	Shoemaker,
Bomberger,	Haudenshield,	McMillen,	Smith,
Bower,	Headlee,	McNally,	Snider,
Breisch,	Helm,	Mihm,	Sollenberger,
Breth,	Hersch,	Mikula,	Spencer,
Brown,	Hewitt,	Miller, H. G.,	Stank,
Bucchin,	Hocker,	Miller, J. C.,	Stimmel,
Byrne,	Hoggard,	Mills,	Stoner,
Cella,	Hunter,	Mintess,	Swartz,
Clapper,	Jenkins,	Monroe,	Swope,
Clendening,	Johnson,	Moore, C. E.,	Tahl,
Cochran,	Jones, G. E.,	Moore, H. A.,	Taylor,
Conway,	Jones, J. M.,	Moran,	Thompson, E. F.,
Cooper,	Jones, P. F.,	Muldowney,	Thompson, R. L.,
Corr,	Jones, T. H. W.,	Munley,	Toll,
Costa,	Jump,	Murray,	Tompkins,
Coyle,	Kamyk,	Musto,	Toomey,
Dalrymple,	Keller,	Najaka,	VanSant,
Davis,	Kline,	Needham,	Varallo,
Dennison,	Kohl,	Olsen,	Varner,
Dougherty,	Kolankiewicz,	Penglase,	Verona,
Dowling,	Kornick,	Peta,	Wachhaus,
DuBois,	Kratz,	Petrosky,	Wargo,
Duffy,	Kubacki,	Pettigrew,	Waterhouse,
Dunn,	Lafore,	Pfaff,	Watkins,
Erb,	Lederer,	Pichney,	Welsh,
Ewing,	Lelsey,	Pitzer,	Westrick,
Fenrich,	Leonard, L.,	Polaski,	Wheeler,
Ferster,	Leonard, W. C.,	Polen,	White,
Filip,	Leven,	Price, R. A.,	Williams,
Filo,	Light,	Readinger,	Wilt,
Flack,	Limper,	Reagan,	Yeakel,
Frost,	Loftus,	Reese,	Yetzer,
Gaffney,	Lopresti,	Reidenbach,	Wood,
Geer,	Lovett,	Reilly, J. M.,	Ziegler,
Gibson,	Lutty,	Riley, R. L.,	Sorg,
Gleason,	Lyons,	Robertson,	Speaker.

## NAYS—14

Banker,	Metz,	Seyler,	Wescott,
Firmstone,	Naugle,	Shotwell,	Whalley,
Greenwood,	Price, H. W. Jr.,	Weldner,	Young,
Kent,	Rigby,		

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## REASONS FOR VOTE

Mr. GRAYBILL filed the following reasons for his vote. My reasons for voting for Senate Bill No. 871 in its final form are as follows:

By many communications and telephone calls from my County leaders and constituents, I know they would plead unanimously to retain our present Congressional District.

However, as the only voting member representing this dissenting thought in our County, I definitely feel that in order to prevent further delay or have our Congressmen in Pennsylvania elected at Large, I elected to vote in favor of this Bill in its final form which would place us in a new Congressional District.

Mr. TOOMEY filed the following reasons for his vote.

My reasons for voting for Senate Bill No. 871 in its final form are as follows:

By many communications and telephone calls from my County leaders and constituents, I know they would plead

unanimously to retain our present Congressional District.

However, as the only voting member representing this dissenting thought in our County, I definitely feel that in order to prevent further delay or have our Congressmen in Pennsylvania elected at Large, I elected to vote in favor of this Bill in its final form which would place us in a new Congressional District.

Mr. REIDENBACH filed the following reasons for his vote.

Speaking on behalf of the Lackawanna County Democratic Delegation in the House of Representatives, I want to state that we are satisfied that this group has carried out the congressional mandate of reapportionment of Congressional Districts and is about to pass legislation to that effect. The Lackawanna Democrats have always felt that the oath of office taken by each of us meant that we should carry out the duties imposed upon us by the Constitution.

Because of the unusual situation in that the State of Pennsylvania has to give up three seats in Congress, the problem of re-districting has been extremely difficult.

One of the districts most seriously effected is the old Tenth District, which formerly was composed of Lackawanna County alone. This Bill adds five counties to the Lackawanna County District. Lackawanna County, the youngest in the State, has always taken great pride in the fact that it had its own Representatives in Congress. This era is about to come to an end.

Because we have always believed in being fair, we realize that since we have lost population in Lackawanna County, it will be necessary to add other counties to our district. However, we are firm in our belief that Scranton and Lackawanna County will enjoy new prosperity and we will, in time, regain the population necessary for one Congressional District.

We are happy that the counties which are to be joined in our Congressional District are Wayne, Pike, Susquehanna, Wyoming and Sullivan. From an economic standpoint Lackawanna County is primarily industrial and mining in nature. The additional five counties are primarily agricultural in character. We believe that this is a happy blend of interests. It will make for a comprehensive and well-rounded cross section of the economic structure of America in this Congressional District.

We are satisfied also because the people in the additional five counties are very much like the people in Lackawanna County in character. As neighbors for many years, we know the people of Wayne, Pike, Susquehanna, Wyoming and Sullivan Counties to be thrifty, industrious, God-fearing and firm in their love for the best principles of Americanism.

The Lackawanna County Democratic Organization pledges itself to work with the people of these five counties toward the selection of able, high type candidates for the Congress of the United States. In this trying period in our History, America needs the best possible Representatives in Congress. We are willing and anxious to cooperate with the people in all of the counties in the new district to insure the election of a Congressional Candidate who will at once devote his full interests to the welfare of our country and to the development of Northeastern Pennsylvania.

## BILL ON FINAL PASSAGE

Agreeably to order,



The House proceeded to the consideration on final passage of Senate Bill No. 187, as follows:

**An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith**

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

**Section 1** That from and after the effective date of this act the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny shall receive the compensation hereinafter provided

**Section 2** The annual salary of the Chief Justice of the Supreme Court shall be twenty-five thousand five hundred dollars (\$25,500) and the annual salary of each of the associate judges of said court shall be twenty-five thousand dollars (\$25,000)

**Section 3** The annual salary of the President Judge of the Superior Court shall be twenty-three thousand five hundred dollars (\$23,500) and the annual salary of each of the associate judges of said court shall be twenty-three thousand dollars (\$23,000)

**Section 4** The annual salary of each of the judges of the courts of common pleas of the first and fifth judicial districts shall be eighteen thousand five hundred dollars (\$18,500)

With the exception of the judges of the courts of common pleas of Dauphin County the annual salary of each of the judges of the courts of common pleas learned in the law in all other judicial districts shall be sixteen thousand dollars (\$16,000)

**Section 5** The judges of the courts of common pleas of Dauphin County and the judges of the orphans' court of Dauphin County shall each receive twenty thousand dollars (\$20,000) annually

**Section 6** In any county where a separate orphans' court is established the annual salary of each judge of the said orphans' court shall be the same as is paid to the judge or judges of the court or courts of common pleas in such county

**Section 7** The annual salary of the President Judge of the Municipal Court of Philadelphia shall be fourteen thousand five hundred dollars (\$14,500) and the annual salary of each of the other judges of said court shall be fourteen thousand dollars (\$14,000)

**Section 8** The annual salary of the President Judge of the County Court of Allegheny County shall be fourteen thousand five hundred dollars (\$14,500) and the annual salary of each of the other judges of said court shall be fourteen thousand dollars (\$14,000)

**Section 9** When any judge learned in the law is called in as now provided by law to assist the judge or judges of any other judicial district such judge so called in shall be entitled to receive for each day he is actually engaged in the performance of such duty the sum of thirty-five dollars (\$35) per day and actual traveling expenses not in excess of ten cents (10c) for each mile traveled to and from the place of holding court in such district

**Section 10** The salaries or compensation of the associate judges not learned in the law of the courts of this Commonwealth shall be as follows each such associate judge shall receive six dollars (\$6) per day for every day he may be employed in the discharge of his official duties Provided That the salary of no such associate judge shall be less than one thousand two hundred dollars (\$1,200) annually each of said judges shall continue to be entitled to mileage as now provided by existing law

**Section 11** The annual salaries and the compensation of the associate judges not learned in the law hereinbefore provided for shall be paid monthly by warrant of the Auditor General on the State Treasurer

**Section 12** The act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" and the amendments thereto are hereby repealed

The provisions of this act shall become effective the first Monday of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

#### POINT OF ORDER

Mr. REAGAN. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. REAGAN. Is it not necessary in any appropriation which is placed before this House in this way, say of an amendment to an appropriation bill which has come through in the regular manner, and the amendments increase the appropriation, is it not necessary to refer that to the Appropriations Committee?

The SPEAKER. For the information of the gentleman it is the opinion of the Chair that the House as a whole having acted upon the amendments it is not necessary for Committee action.

Mr. REAGAN. Mr. Speaker, does not the Constitution require that?

The SPEAKER. It is not the opinion of the Chair that the Constitution requires that an amendment acted upon by the entire House must be acted upon by any Committee of the House.

Mr. REAGAN. Mr. Speaker, it seems to me that that is not in accordance with the way the Constitution, and the way the Rules read.

The SPEAKER. For the information of the gentleman the Chair will read the two sections of the Constitution, Section 2 and Section 4 of Article III germane to the matter about which the gentleman inquires.

Section 2. No bill shall be considered unless referred to a committee, returned therefrom and printed for the use of the Members.

This provision has been complied with.

Section 4. Every bill shall be read at length on three different days in each House. All amendments made thereto shall be printed for the use of the Members before the final vote is taken on the bill, and no bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the persons voting for and against the same be entered on the Journal, and the majority of the Members elected to each House be recorded thereon as voting in its favor.

It is the opinion of the Chair that these provisions of the Constitution, the only ones applicable, have been complied with and will be complied with.

Mr. REAGAN. Mr. Speaker, I feel that everything has been said on this matter that it is necessary to say, although I would like to say this: I have never seen a House yield to pressure politics as it has in this session. Where is our government going to come to if we continue to do these things?

Each year I come down here and pressure is brought



on us by certain bodies of important people or organizations, and they threaten us, or just because of their standing or supposed power we vote against our best judgment in the hope that they will assist us in the next election. I think that is entirely fallacious.

I have been objecting to a great many bills which I consider pressure bills. So far as I can see my county likes that. At any rate I can assure you that so far as my county is concerned I will receive, if I run again, a thousand more votes if I oppose this bill than if I vote for it.

Each year the expenditures go higher and higher just because of this yielding to pressure. It certainly is not conducive toward good government, and eventually it can have no other effect than to destroy representative government throughout this country.

Every time I go back home they talk of the taxes we are imposing. I am buttonholed on the street and asked sometimes pleadingly and at other times threateningly to relieve those people back home from further taxation. I do not know anything better in the world for a man wishing to return to this body than to oppose what the people all know are the efforts of a pressure group.

This bill we have before us is going to require additional taxation. We do not know where we stand. The amount is uncertain. I have heard any number of figures given; no one was positive about them. But I think you will find that in the end the total will be at least \$800,000.

I am thinking of the fact that we cut our appropriations for relief by millions; that we contemplate in legislation passed, or by action of the Department of Public Assistance, to make a further cut.

I do not know how you feel about it, gentlemen. I do know this: when I return home there is not a week goes by but what two or three people whom I know come to me and tell me they cannot live on the amount they receive from Public Assistance, and knowing what they are getting, I quite agree with them.

The only thing I can say is "Well, the appropriation was cut". Who deserves assistance more than old people who no longer can work, are past the time when they can get employment. Yet we cut them down to a mere existence and scarcely that.

Here we come to an appropriation for men who are receiving a great deal more than the average man makes, together with the honor which goes with the office of Judge. We are raising them to what might be considered an unprecedented degree and we satisfy our conscience when we do that.

There are many, many instances I might bring to your attention along this line, but I would only worry you. This whole matter has become extremely complex. This parliamentary snarl that we are in over this bill is extremely complex. I fail to understand it.

The amendments which we have before us were supposed to come from this side of the House. All of a sudden our adversaries come forth with great gusto and put it in as their bill. I understand one of the Members here in the House met some prominent Democrats out in the hall, soliciting his vote for these amendments. The member inquired "why"?

"Well," they said "we already have Allegheny, when

there are lots of judges and we already have Philadelphia, where there are more. We virtually control the big cities. A great majority of judges are on our side or will be, why of course we are for it." You cannot blame them.

I have also been told if I called for a slow roll and verification after that, the Leader on the other side will insist upon a poll of the House. That will be his fault if he does.

That is pretty nearly pressure politics to get through a bill which a great many do not approve of, and which I feel confident the rural sections do not approve of. If the gentleman wants to do that, of course it is his privilege. But we have the right, Mr. Speaker, to voice our minds and not be threatened.

None of us want to see Members who have gone home called back, but if it is necessary why allow a threat. Particularly the gentlemen on this side, why allow a threat to change your ideas just so we can go home, and because it will require some of the Members to come back.

Mr. ERB. Mr. Speaker, I think the gentleman Mr. Reagan, has covered the ground very thoroughly and it is my intention to go along with what he has offered to the House.

I may restate this. The Members of both sides of the House know that last March I and another Republican Member of the House asked for an additional Judge in our county. The Democratic opposition, Mr. Hiram Andrews, of Cambria County, opposed my view very, very much.

The reasons, I do not know, but I do know this: we needed a judge. Sincerely I asked for a judge. On the other hand, I do not know unless it is a change of heart on the part of Mr. Andrews why at this time he brings in that my county has 150,000 and needs an increase in salary. I want to know what the change of heart is there.

The only thing, Mr. Speaker, I know is that several of his gypsy judges from Cambria county sit in our Blair county courts. That is the reason we wanted another judge, when there were 290 days in the last two years that visiting judges sat in our county. Don't you think we need another judge? That is my argument today.

As far as this bill is concerned I am opposed to it, because I do not know where we are going. Your cannot go to a funeral home to look at a respectable citizen laying in his coffin, unless there is an argument from people in my county about what we are doing in Harrisburg—spending, spending.

Just yesterday morning I came in to take the train to Harrisburg. There sat two respectable old men on the seat. I do not know who they were; they named the three representatives from Blair County, also our state Senator.

This is what they said: "As far as Blair County representation is concerned we need a change. The only thing in Pennsylvania is they earn the money and the federal government and the state government gives a check and takes out what they please. In Russia they give you what you are to have, and you do not have to file any income tax.

Mr. HEWITT. Mr. Speaker, I rather resent the remarks made by the gentleman from Union. Mr. Reagan insinuated that those who vote for this bill are voting under pressure.

I want it distinctly understood that I am not pres-



sured by any group on this bill. I am not in Mr. Reagan's position. He said if he votes against the bill he will get a thousand more votes in Union County than he would if he voted for it. I am not in that position. I do not know whether I will get more votes or less votes. There is a pressure group from Union and he admitted it. I am voting for the bill on general principles, and if I never come back here as a result of it, that will be all right with me.

Mr. ANDREWS. Mr. Speaker, I desire to state for the information of the House that I am led to believe that this bill will wind up in a Conference Committee in which the differences between the House and Senate will be adjusted by a committee representing both Houses.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—148

Amarando,	Greenwood,	Lutty,	Royer.
Andrews,	Greer,	Markley,	Rubin,
Barkdoll,	Guarnieri,	Maxwell,	Sarraff,
Bear,	Gutendorf,	Mazza,	Sax,
Beaver,	Guthrie,	McCormack,	Scanlon,
Beech,	Hagerty,	McDermitt,	Schmidt,
Blair,	Hall,	McGee,	Schuster,
Bloom,	Hamilton, R. K.,	McInroy,	Seyler,
Bolton,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bomberger,	Helm,	McNally,	Smith,
Brelsch,	Hersch,	Mihm,	Snider,
Bucchin,	Hewitt,	Mikula,	Sollenberger,
Byrne,	Hocker,	Mills,	Spencer,
Cella,	Hoggard,	Mintess,	Stimmel,
Clapper,	Hunter,	Monroe,	Stoner,
Clendenning,	Johnson,	Moore, H. A.,	Swope,
Conway,	Jones, G. E.,	Muldowney,	Tahl,
Cooper,	Jones, J. M.,	Munley,	Taylor,
Corr,	Jones, P. F.,	Musto,	Thompson, E. F.,
Costa,	Jones, T. H. W.,	Najaka,	Thompson, R. L.,
Dalrymple,	Jump,	Naugle,	Toll,
Davis,	Kamyk,	Needham,	Tompkins,
Dennison,	Keller,	Olsen,	VanSant,
Dougherty,	Kent,	Penglase,	Varnier,
Dowling,	Kline,	Peta,	Verona,
DuBois,	Kohl,	Petrosky,	Wachhaus,
Duffy,	Kolankiewicz,	Pettigrew,	Wargo,
Ewing,	Kubacki,	Pitzer,	Welsh,
Filo,	Lafore,	Polaski,	Wescott,
Fenrich,	Lederer,	Price, R. A.,	Westrick,
Filip,	Leonard, L.,	Readinger,	Whalley,
Firmstone,	Leonard, W. C.,	Reidenbach,	Wheeler,
Flack,	Leven,	Reilly, J. M.,	Wilt,
Gaffney,	Light,	Rigby,	Wood,
Geer,	Limper,	Robertson,	Yetzer,
Gibson,	Loftus,	Rose,	Ziegler,
Good,	Lopresti,	Rosen,	Sorg,
		Rovansek,	Speaker

## NAYS—28

Banker,	Ferster,	McCullough,	Riley, R. L.,
Baumunk,	Frost,	Miller, H. G.,	Shotwell,
Berkstresser,	Gleason,	Miller, J. C.,	Swartz,
Bower,	Goodling,	Moore, C. E.,	Toomey,
Brown,	Graybill,	Moran,	Weldner,
Dunn,	Lyons,	Price, H. W. Jr.,	White,
Erb,	Madigan,	Reagan,	Young,

## NOT VOTING—29

Boles,	Jenkins,	McKinney,	Scott,
Breth,	Kornick,	Metz,	Stank,
Cochran,	Kratz,	Murray,	Varallo,
Coyle,	Lelsey,	Pfaff,	Waterhouse,
Harney,	Lovett,	Pichney,	Watkins,
Haudenshield,	Madden,	Polen,	Williams,
Headlee,	McConnell,	Reese,	Yeakel,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## RESOLUTION

RECALLING HOUSE BILL No. 772 FROM GOVERNOR

Mrs. MARKLEY offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 21, 1951.

Resolved (if the Senate concur), that House Bill No. 772, Printer's No. 560, entitled "An act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

## RESOLUTION

RECALLING HOUSE BILL No. 1102 FROM GOVERNOR

Mr. JOHNSON offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 21, 1951.

Resolved, (if the Senate concur), That House Bill No. 1102 Printer's No. 1039, entitled "An act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counter-claims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

## SENATE MESSAGE

RECALLING SENATE BILL No. 586 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 20, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 586, Printer's No. 290, entitled "An act relating to the administration without the appointment of a guardian of estates valued at one thousand dollars or less of weak minded persons drug addicts and inebriates and providing a procedure therefor," be recalled from the Governor.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 20, 1951.

Resolved (if the Senate concur) that House Bill No. 1690, Printer's No. 1023, entitled "An act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund," be recalled from the Governor.

### SENATE MESSAGE

#### RECALLING SENATE BILL No. 570 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 21, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 570, Printer's No. 656, entitled "An act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?  
It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### RECALLING SENATE BILL No. 765 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 21, 1951.

Resolved (If the House of Representatives concur), that Senate Bill No. 765, Printer's No. 475, entitled "An act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and ad-

ministrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties' by changing the definition of wages as to the rights and obligations of employers and employees where a successor-in-interest has acquired assets of a predecessor," be recalled from the Governor.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. GREENWOOD. Mr. Speaker, I move that House Bill No. 1324, Printer's No. 596, together with communication from the Governor be taken from the table.

The motion was agreed to.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1324.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1324, Printer's No. 596, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

### RECONSIDERATION OF VOTE

Mr. GREENWOOD. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. JOHNSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Wyoming, Mr. Greenwood, vote on the final passage of this bill?

Mr. GREENWOOD. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson, vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. GREENWOOD. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:



Amend Title, page 2, line 15, by striking out after the word "omnibuses" and before the word "trailers" the following: "and" and inserting in lieu thereof the following: "truck tractors".

Amend Title, page 2, line 15, by inserting after the word "and" and before the word "certain" the following: "semi-trailers and".

Amend Section 1, page 4, line 4, by striking out at the end of the line after the word "registrations" the following "for".

Amend Section 1, page 4, line 5, by striking out at the beginning of the line before the word "shall" the following: "passenger motor vehicles tractors motor-cycles and dealers".

Amend Section 1, page 4, line 7, by inserting after the word "following" and before the word "All." the following: "Provided That."

Amend Section 1, page 4, line 8, by striking out at the end of the line after the word "omnibuses" the following: "and" and inserting in lieu thereof the following: "truck tractors".

Amend Section 1, page 4, line 9, by inserting after the word "trailers" and before the word "for" the following: "and semi-trailers".

Amend Section 1, page 4, line 9, by striking out at the end of the line after the word "hundred" the following: "fifty-one" and inserting in lieu thereof the following "fifty-three".

Amend Section 1, page 4, line 10, by striking out at the end of the line after the word "hundred" the following: "fifty-two and" and inserting in lieu thereof the following: "fifty-four Provided further That no registration for a commercial motor bus motor omnibus truck tractor trailer or semi-trailer shall be issued for the requisition year one thousand nine hundred fifty-three prior to the first day of June one thousand nine hundred fifty-three unless the application therefor is accompanied by the annual fee prescribed plus an additional fee equal to one-sixth thereof".

Amend Section 1, page 4, line 11, by striking out at the beginning of the line before the word "with" the following: "commencing" and inserting in lieu thereof the following: "Commencing".

Amend Section 1, page 4, line 12, by striking out at the beginning of the line before the word "and" the following: "fifty-two" and inserting in lieu thereof the following: "fifty-four."

Amend Section 1, page 4, line 12, by striking out after the word "for" and before the word "shall" the following: "such vehicles" and inserting in lieu thereof the following: "commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers".

Amend Section 1, page 5, line 2, by striking out at the end of the line after the word "plates" the following: "for passenger motor vehicles tractors".

Amend Section 1, page 5, line 3, by striking out at the beginning of the line before the word "shall" the following: "motorcycles and dealers."

Amend Section 1, page 5, line 5 by striking out after the word "following" and before the word "registration" the following: "All" and inserting in lieu thereof the following: "Provided that all."

Amend Section 1, page 5, line 6 by striking out after the word "omnibuses" and before the word "trailers" the following: "and" and inserting in lieu thereof the following: "truck tractors".

Amend Section 1, page 5, line 6, by inserting after the word "trailers" and before the word "for" the following: "and semi-trailers".

Amend Section 1, page 5, line 7, by striking out after the word "hundred" and before the word "shall" the following: "fifty-one" and inserting in lieu thereof the following: "fifty-three."

Amend Section 1, page 5, line 8, by striking out after the word "hundred" and before the word "with" the following: "fifty-two and commencing" and inserting in lieu thereof the following: "fifty-four Commencing".

Amend Section 1, page 5, line 9, by striking out after the

word "hundred" and before the word "and" the following: "fifty-two" and inserting in lieu thereof the following: "fifty-four".

Amend Section 1, page 5, line 10, by striking out after the word "for" and before the word "shall" the following: "such vehicles" and inserting in lieu thereof the following: "commercial motor vehicles, motor buses motor omnibuses, truck tractors, trailers and semi-trailers".

Amend Section 1, page 5, line 13, by striking out after the word "secretary" and before the word "plates" the following: "Registration" and inserting in lieu thereof the following: "The registration plate or".

Amend Section 1, page 5, line 18, by inserting after the word "with" and before the word "registration" the following: "a".

Amend Section 1, page 5, line 18, by inserting after the word "registration" and before the word "plates" the following: "plate or".

Amend Section 1, page 5, line 18, by inserting after the word "with" and before the word "registration" the following: "a".

Amend Section 1, page 5, line 18, by inserting at the end of the line after the word "registration" the following: "plate or".

Amend Section 1, page 5, line 19, by inserting after the word "plates" and before the word "on" the following: "as required by this act".

Amend Section 1, page 5, line 19, by inserting after the word "that" and before the word "registration" the following: "the".

Amend Section 1, page 5, line 19, by inserting after the word "registration" and before the word "plates" the following: "plate or".

Amend Section 3, page 6, line 16, by inserting after the word "is" and before the word "to" the following: "commencing with the registration year one thousand nine hundred fifty-four".

Amend Section 3, page 6, line 18, by striking out after the word "omnibuses" and before the word "trailers" the following: "and" and inserting in lieu thereof the following: "truck tractors".

Amend Section 3, page 6, line 18, by inserting after the word "trailers" and before the word "from" the following: "and semi-trailers".

Amend Section 3, page 6, line 19, by inserting after the word "thirty-first" and before the word "To" the following: "without any ultimate loss of revenue for the use of the highways".

Amend Section 3, page 7, line 2, by striking out after the word "hundred" and before the word "for" the following: "fifty-one" and inserting in lieu thereof the following: "fifty-three".

Amend Section 3, page 7, line 3, by striking out after the word "omnibuses" and before the word "trailers" the following: "and" and inserting in lieu thereof the following: "truck tractors".

Amend Section 3, page 7, line 3, by inserting after the word "trailers" and before the word "shall" the following: "and semi-trailers".

Amend Section 3, page 7, line 4, by striking out at the end of the line after the word "hundred" the following: "fifty-two" and inserting in lieu thereof the following: "fifty-four".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.



## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HALL asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 324, entitled:

An Act to further amend Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining "monotrailer," and extending to apply to monotrailers the provisions of said act applicable to trailers.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. WEIDNER. Mr. Speaker, I move that this bill, be recommitted to the Committee on Motor Vehicles for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 889, entitled:

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 928, entitled:

An Act to further amend Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative

work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers hereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by fixing the compensation of members of the State Police Force

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 572, as follows:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million two hundred thousand dollars (\$1,200,000) or a much thereof as may be necessary is hereby appropriated to the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred fifty-one for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes for furnishing funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means for planning and providing for the rehabilitation and care of veterans and for the acquisition of land by purchase condemnation or gift and the construction of buildings with the approval of the Governor as may be deemed necessary for the rehabilitation and care of veterans

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boies,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,



Brelsich,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kilne,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Varallo,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Lopresti,	Reese,	Williams,
Flack,	Loftus,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 825, as follows:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars (\$200,000) or as much thereof as may be reasonably necessary is hereby appropriated to the State Planning Board to be used in assisting local governmental agencies in solving regional planning problems which the Board may regard as having State-wide significance Such assistance shall be in the form of technical services or if approved by the Governor in the form of cash grants-in-aid All agencies prior to receiving any cash grants-in-aid as herein provided shall agree to repay the Commonwealth in accordance with such terms as are determined by the Board

Section 2 This appropriation shall be in addition to any appropriation made to or for the use of the State Planning Board

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando, Graybill, Maxwell, Rovanseck,

Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudensfield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihn,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
Duffy,	Kubacki,	Pfaff,	Waterhouse,
Dunn,	Lafore,	Pichney,	Watkins,
Erb,	Lederer,	Pitzer,	Weidner,
Ewing,	Leisey,	Polaski,	Welsh,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Filip,	Leven,	Price, R. A.,	Whalley,
Filo,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,
			Speaker

## NAYS—1

DuBois,

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 885, as follows:

An Act to amend subsection (b) of section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the twenty-

fourth day of June one thousand nine hundred thirty-nine (P. L. 810) is hereby further amended to read as follows

Section 501 Open seasons after investigation or information otherwise obtained by the commission as to the annual game supply the commission may by appropriate rules and regulations a summary of which shall be published as hereinafter specified fix seasons shooting hours and daily season and possession limits or remove protection and declare an open season or increase reduce or close seasons or increase or reduce bag limits for all species of game birds and game animals throughout the Commonwealth or in any part thereof or limit the number of hunters in any designated area and prescribe the methods of hunting therein when in its opinion such action is necessary to assure the maintenance of an adequate supply of such species or when an unbalanced sex ratio exists which in its opinion should be corrected or when in the opinion of the commission such additional open season will not jeopardize the future supply of game

(b) Raccoons not to be trapped exceptions removal of protection etc except in defense of person or property it is unlawful for any person to take or attempt to take raccoons through the use of traps or deadfalls except in such county or counties as the commission may by proper resolution public notice of which shall be given as hereinafter provided declare open to trapping when in its opinion raccoons are sufficiently abundant to justify such trapping but the provisions of this subsection shall not be construed to prevent any bona fide occupant of a farm which lies within any county not declared open to general public raccoon trapping who is a citizen of the United States and actually resides upon and cultivates such farm or any immediate member of his family or regularly hired help of such occupant if any such person is a citizen of the United States actually residing upon and cultivating such farm from trapping raccoons thereon including the woodlands connected therewith as a part thereof so long as any such person complies with the provisions of this act or the rules and regulations adopted thereunder governing trapping methods seasons and bag limits unless the commission has denied or this act does deny to any such person the right to hunt or trap anywhere in this Commonwealth

After investigation or upon information otherwise obtained by the Department of Agriculture as to any county being infested with rabies the commission shall upon notice given by said department remove all protection on raccoons in such infested counties or declare an open season on such animals or direct the killing and disposition of same in such manner as the case may require

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,

Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 162, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-six thousand five hundred dollars (\$126,500) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,



Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelsich,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 219, as follows:

An Act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate co-operation in certain cases creating a Contribution Fund and making appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Declaration of Policy In order to extend to employees except those hereinafter excluded from the provisions of the act of the Commonwealth and its political subdivisions and of the instrumentalities of either and to the dependents and survivors of such employees the basic protection accorded to others by the old-age and survivors insurance system embodied in the Social Security

Act it is hereby declared to be the policy of the General Assembly subject to the limitations of this act that such steps be taken as to provide such protection to employees of the Commonwealth and its political subdivisions and to the instrumentalities of either on as broad a basis as is permitted under the Federal Social Security Act

Section 2 Definitions The following words and phrases shall have the meaning ascribed to them in this section unless the context clearly indicates otherwise

(a) "Social Security Act" means the Act of Congress approved the fourteenth day of August one thousand nine hundred thirty-five Chapter 531 49 Statutes 620 officially cited as the "Statutes 20 officially cited as the "Social Security Act" (including regulations and requirements issued pursuant thereto) as such act has been and may from time to time be amended

(b) "Federal Insurance Contributions Act" means subchapter A of Chapter 9 of the Federal Internal Revenue Code as such code has been and may from time to time be amended

(c) "Political subdivision" includes a city borough incorporated town township county county institution district school district vocational school district municipal authority and any instrumentality or agency of the Commonwealth or one or more of its political subdivisions but only if such instrumentality or agency is an entity which is legally separate and distinct from the Commonwealth or political subdivision and only if its employees are not by virtue of their relation to such legal entity employees of the Commonwealth or political subdivision except that the limitations upon instrumentalities or agencies of political subdivisions shall not apply in the case of joint-county departments of health There shall be included in a political subdivision as defined herein any department agency board or other means heretofore or hereafter created for the charge or the administration by the political subdivision of property and estates dedicated to charitable uses or trusts now or which shall hereafter become vested in or confided to the political subdivision

(d) "State Agency" means the agency created under section three hereof

(e) "Federal Agency" includes any individual department or agency as is charged on behalf of the Federal Government by or under the applicable Federal law with the particular Federal function referred to in this act in connection with such term

(f) "Employee" includes an officer or employee of a State political subdivision or instrumentality thereof

(g) "Employment" means any service performed by an employee in the employ of the Commonwealth any political subdivision or instrumentality of either for such employer except (1) service which in the absence of an agreement entered into under this act would constitute "employment" as defined in the Social Security Act or (2) service performed by employees in positions covered by a retirement system pension or annuity retirement plan or similar fund system or plan established by the Commonwealth or by a political subdivision on the date an agreement between the State Agency and the Federal Security Administrator applicable to such service is entered into or other service which under the applicable Federal law may not be included in an agreement between the Commonwealth and the Federal Security Administrator entered into under this act

(h) "Wages" means all remuneration paid in any medium other than cash except that such term shall not include that part of such remuneration which even if it were for "employment" within the meaning of the Federal Insurance Contributions Act would not constitute "wages" within the meaning of that act

(i) "Applicable Federal law" refers to the provisions of Federal law Public Law seven hundred thirty-four eighty-first Congress (including Federal regulations and requirements issued pursuant thereto) which provide for extending the benefits of Title II of the Social Security Act to employees of State political subdivisions and their instrumentalities

Section 3 State Agency A State Agency is hereby



created to carry out the provisions of this act which shall consist of the Secretary of state He shall with the approval of the Governor appoint such additional employes as may be deemed necessary to carry on the work required by this act and fix the salary or compensation of such additional employes

Section 4 (a) Federal-State Agreement The State Agency with the approval of the Governor is hereby authorized to enter on behalf of the Commonwealth into an agreement with the Federal Security Administrator consistent with the terms and provisions of this act for the purpose of extending the benefits of the Federal old-age and survivors insurance system to employes of the Commonwealth or any political subdivision thereof with respect to services specified in such agreement which constitute "employment" as defined in section two of this act Such agreement may contain such provisions relating to coverage benefits contributions effective date modification and termination of the agreement administration and other appropriate provisions as the State Agency and Federal Security Administrator shall agree upon but except as may be otherwise required by or under the Social Security Act as to the services to be covered such agreement shall provide in effect that

(1) Benefits will be provided for employes whose services are covered by the agreement and their dependents and their survivors on the same basis as though such services constituted employment within the meaning of the Title II of the Social Security Act

(2) The Commonwealth will pay to the Federal Agency at such time or times as prescribed by the applicable Federal law and by regulations promulgated thereunder contributions with respect to wages (as defined in section two of this act) equal to a sum not in excess of three percent (3%) of such wages received during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-three inclusive four percent (4%) of such wages received during the calendar years one thousand nine hundred fifty-four one thousand nine hundred fifty-five inclusive five percent (5%) of such wages received during the calendar years one thousand nine hundred sixty one one thousand nine hundred sixty-four inclusive six percent (6%) of such wages received during the calendar years one thousand nine hundred sixty-five one thousand nine hundred sixty-six inclusive and six and one-half percent (6½%) of such wages received during the calendar year one thousand nine hundred seventy and thereafter The actual amount of the contributions to be made under the provisions of this paragraph shall be the amount necessary to carry out the provisions of this act and the agreement entered into in accordance therewith which amounts shall from time to time be determined by the State Agency subject to the limitations herein prescribed

(3) Such agreement shall be effective with respect to services in employment covered by the agreement performed on and after the first day of January one thousand nine hundred fifty-one or such later date as may be specified in the agreement

(4) All services which constitute employment as defined in section two and are performed in the employ of the Commonwealth by employe of the Commonwealth shall be covered by the agreement and

(5) All services which constitute employment as defined in section two are performed in the employ of a political subdivision of the State and are covered by a plan which is in conformity with the terms of the agreement and has been approved by the State Agency under section five shall be covered by the agreement

(b) Interstate instrumentalities any instrumentality jointly created by this Commonwealth and any other State or states is hereby authorized upon the granting or existence of like authority by such other state or states (1) to enter into an agreement with the Federal Security Administrator whereby the benefits of the Federal Old Age and Survivors Insurance system shall be extended to employes of such instrumentality (2) To require its employes to pay and for that purpose to deduct from their

wages contributions equal to the amounts which they would be required to pay under Section five (a) if they were covered by an agreement made pursuant to subsection (a) of this Section and and (3) to make payments to the Federal Agency in accordance with such agreements including payments from its own funds and otherwise to comply with such agreements

Section 5 Contributions by State Employes (a) Every employe of the Commonwealth whose services are covered by an agreement entered into under section four shall be required to pay for the period of such coverage into the Contribution Fund established by section seven contributions with respect to wages (as defined in section two of this act) not in excess of one and one-half percent (1½%) of such wages received during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-three inclusive two percent (2%) of such wages received during the calendar years one thousand nine hundred fifty-four one thousand nine hundred fifty-five inclusive two and one-half percent (2½%) of such wages received during the calendar years one thousand nine hundred sixty one one thousand nine hundred sixty-four inclusive three percent (3%) of such wages received during the calendar years one thousand nine hundred sixty-five one thousand nine hundred sixty-six inclusive and three and one-fourth percent (3¼%) of such wages received during the calendar year one thousand nine hundred seventy and thereafter The actual amount of the contributions to be made under the provisions of this paragraph shall be the amount necessary to carry out the provisions of this act and the agreement entered into in accordance therewith which amounts shall from time to time be determined by the State Agency subject to the limitations herein prescribed Such liability shall arise in consideration of the employes retention in the service of the Commonwealth or his entry upon such service after the enactment of this act

(b) The contribution imposed by this section shall be collected by each salary paying agency by deducting the amount of the contribution from wages as and when paid but failure to make such deduction shall not relieve the employe from liability for such contribution

(c) If more or less than the correct amount of the contribution imposed by this section is paid or deducted with respect to any remuneration proper adjustments or refund if adjustment is impracticable shall be made without interest in such manner and at such time as the State Agency shall prescribe

Section 6 Plans for Coverage of Employes of Political Subdivisions (a) Each political subdivision of the Commonwealth is hereby authorized to submit for approval by the State Agency a plan for extending the benefits of Title II of the Social Security Act in conformity with applicable provisions of such act to employes of such political subdivision Each such plan and any amendment thereof shall be approved by the State Agency if it finds that such plan or such plan as amended is in conformity with such requirements as are provided in regulations of the State Agency except that no such plan shall be approved unless

(1) it is in conformity with the requirements of the Social Security Act and with the agreement entered into under section four

(2) it provides that all services which constitute employment as defined in section two and are performed in the employ of the political subdivision by employes thereof shall be covered by the plan

(3) it specifies the source or sources from which the funds necessary to make the payments required by paragraph (1) of subsection (c) and by subsection (d) of this section are expected to be derived and contains reasonable assurance that such sources will be adequate for such purposes

(4) it provides for such methods of administration of the plan by the political subdivision as are found by the State Agency to be necessary for the proper and efficient administration of the plan

(5) it provides that the political subdivision will make



such reports in such form and containing such information as the State Agency may from time to time require and comply with such provisions as the State Agency or the Federal Agency may from time to time find necessary to assure the correctness and verification of such reports and

(6) it authorizes the State Agency to terminate the plan in its entirety in the discretion of the State Agency if it finds that there has been a failure to comply substantially with any provisions contained in such plan such termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the State Agency and may be consistent with the provisions of the Social Security Act

(b) The State Agency shall not finally refuse to approve a plan submitted by a political subdivision under subsection (a) and shall not terminate an approved plan without reasonable notice and opportunity for hearing to the political subdivision affected thereby

(c) (1) Each political subdivision as to which a plan has been approved under this section shall pay into the Contribution Fund with respect to wages (as defined in section two of this act) at such time or times as the State Agency may by regulation prescribe contributions in the amounts and at the rates specified in the applicable agreement entered into by the State Agency under section four

(2) Each political subdivision required to make payments under paragraph (1) of this subsection is authorized in consideration of the employee's retention in or entry upon employment after enactment of this act to impose upon each of its employees as to services which are covered by an approved plan a contribution with respect to his wages (as defined in section two of this act) not exceeding the amount of contributions by Commonwealth employees as provided in subsection (a) of section five of this act and to deduct the amount of such contribution from his wages as and when paid Contributions so collected shall be paid into the Contribution Fund in partial discharge of the liability of such political subdivision under paragraph (1) of this subsection Failure to deduct such contribution shall not relieve the employee or employer of liability therefor

(d) Delinquent payments due under paragraph (1) of subsection (c) may with interest at the rate of six (6) per centum per annum be recovered by action in a court of competent jurisdiction against the political subdivision liable therefor or may at the request of the State Agency be deducted from any other moneys payable to such political subdivision by any department or agency of the Commonwealth

Section 7 Contribution Fund (a) There is hereby created as a special fund in the State Treasury the Contribution Fund Such fund shall consist of and there shall be deposited in such fund (1) all contributions interest and penalties collected under sections five and six (2) all moneys appropriated thereto under this act (3) any property or securities and earnings thereof acquired through the use of moneys belonging to the fund (4) interest earned upon any moneys in the fund and (5) all sums recovered upon the bond of the custodian or otherwise for losses sustained by the fund and all other moneys received for the fund from any other source All moneys in the fund shall be mingled and undivided Subject to the provisions of this act the State Agency is vested with full power authority and jurisdiction over the fund including all moneys and property or securities belonging thereto and may perform any and all acts whether or not specifically designated which are necessary to the administration thereof and are consistent with the provisions of this act

(b) The Contribution Fund shall be established and held separate and apart from any other funds or moneys of the Commonwealth and shall be used and administered exclusively for the purpose of this act Withdrawals from such fund shall be made for and solely for payment of amounts required to be paid to the Federal Agency pursuant to an agreement entered into under section four payment of refunds provided for in section five (c) of

this act and refunds of overpayments not otherwise adjustable made by a political subdivision

(c) From the Contribution Fund the State Treasurer upon warrant of the State Agency shall pay to the Federal Agency such amounts and at such time or times as may be directed by the State Agency in accordance with any agreement entered into under section four and the Social Security Act

(d) (1) There are hereby authorized to be appropriated biennially to the Contribution Fund in addition to the contributions collected and paid into the Contribution Fund under section five and six to be available for the purposes of section seven (b) and (c) until expended such additional sums as are found to be necessary in order to make the payment to the Federal Agency which the Commonwealth is obligated to make pursuant to an agreement entered into under section four

(2) The State Agency shall submit to each regular session of the General Assembly at least ninety (90) days in advance of the beginning of such session an estimate of the amounts authorized to be appropriated to the Contribution Fund by paragraph (1) of this subsection for the next fiscal biennium

Section 8 Rules and Regulations The State Agency is hereby authorized and empowered to make such rules and regulations not inconsistent with the provisions of this act as it finds necessary or appropriate to the efficient administration of the functions with which it is charged under this act

Section 9 Studies and Reports The State Agency shall make studies concerning the problem of old-age and survivors insurance protection for employees of the Commonwealth and local governments and their instrumentalities and concerning the operation of agreements made and plans approved under this act and shall submit a report to the General Assembly at the beginning of each regular session covering the administration and operation of this act during the preceding biennium including such recommendations for amendments to this act as the State Agency considers proper

Section 10 Administrative Appropriation For the purpose of administering the provisions of this act for the biennium beginning the first day of June one thousand nine hundred fifty-one and ending the thirty-first day of May one thousand nine hundred fifty-three there is hereby appropriated to the State Agency the sum of forty thousand dollars (\$40,000)

Section 11 The sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the State Agency to be paid into the contribution fund

Section 12 Repeal All acts and parts of acts are hereby repealed insofar as they are inconsistent with the provisions of this act

Section 13 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McDermitt,	Sax,
Baumunk,	Gutendorf,	McGee,	Scanlon,
Bear,	Guthrie,	McCullough,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Boles,	Harney,	Metz,	Shotwell,
Bolton,	Haudenshield,	Mihm,	Smith,
Bomberger,	Headlee,	Mikula,	Snider,
Bower,	Helm,	Miller, H. G.,	Sollenberger,



Breisch,	Hersch,	Miller, J. C.,	Spencer,
Breth,	Hewitt,	Mills,	Stank,
Brown,	Hocker,	Mintess,	Stimmel,
Bucchin,	Hoggard,	Monroe,	Stoner,
Byrne,	Hunter,	Moore, C. E.,	Swartz,
Cella,	Jenkins,	Moore, H. A.,	Swope,
Clapper,	Johnson,	Moran,	Tahl,
Clendenning,	Jones, G. E.,	Muldowney,	Taylor,
Cochran,	Jones, J. M.,	Munley,	Thompson, E. F.,
Conway,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,	Maxwell,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 344, as follows:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-five thousand dollars (\$125,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the Department for the purpose of advancing research and demonstrations on improvement in nutritional status and consequent improvement in physical well-being of civilians based on research work now in progress Emphasis shall be placed on nutrition tests and demonstrations as a part of community health programs as well as nutrition studies in State-aided institutions as an aid to diet planning in said institutions The Department of Health shall commission said research work and demonstrations to said Land Grant College and remain in an advisory capacity so as to benefit by such results of the research and demonstrations as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amounts as the college shall request

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Greenwood,	Mazza,	Royer,
Andrews,	Greer,	McConnell,	Rubin,
Banker,	Guarnieri,	McCormack,	Sarraf,
Barkdoll,	Gutendorf,	McCullough,	Sax,
Baumunk,	Guthrie,	McDermitt,	Scanlon,
Bear,	Hagerty,	McGee,	Schmidt,
Beaver,	Hall,	McInroy,	Schuster,
Beech,	Hamilton, R. K.,	McKinney,	Scott,
Berkstreser,	Hamilton, W. H.,	McMillen,	Seyler,
Blair,	Harney,	McNally,	Shoemaker,
Bloom,	Haudenshield,	Metz,	Shotwell,
Boles,	Headlee,	Mihm,	Smith,
Bolton,	Helm,	Mikula,	Snider,
Bombberger,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Breisch,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Swope,
Cella,	Jones, G. E.,	Moran,	Tahl,
Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendenning,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
Duffy,	Kubacki,	Pfaff,	Waterhouse,
Dunn,	Lafore,	Pichney,	Watkins,
Erb,	Lederer,	Pitzer,	Weldner,
Ewing,	Lelsey,	Polaski,	Welsh,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Filip,	Leven,	Price, R. A.,	Whalley,
Filo,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lyons,	Rigby,	Yeakel,
Gibson,	Lutty,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,
Graybill,	Maxwell,	Rovansek,	Speaker

## NAYS—2

Davis,

DuBois,

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 350, as follows:

An Act to further amend clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending



revising consolidating and changing the law relating thereto" by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 1709 Tax Levies The board of township commissioners may levy taxes upon all property and upon all occupations within the township made taxable for township purposes as ascertained by the valuation for county purposes made by the assessors of the several counties of this Commonwealth for the year for which the township taxes are levied for the purposes and at the rate herein-after specified Provided however That such valuation shall be subject to correction by the county commissioners of the several counties and to appeal by the taxable persons in accordance with existing laws

Two [A tax] An Annual tax not exceeding one mill for the purpose of building and maintaining suitable places for the housing of fire apparatus and for the purpose of purchasing and maintaining fire apparatus the receipts from said tax for maintenance to be divided among [the places maintained] the fire companies of the township

And said bill having been read at-length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelsch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Pengase,	Verona,
Dougherty,	Kolankiewicz,	Petla,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBols,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,

Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### RESOLUTION

#### RECALLING HOUSE BILL No. 1544 FROM GOVERNOR

Mr. HALL offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 21, 1951.

Resolved (if the Senate concurs), that House Bill No. 1544, Printer's No. 1111, entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectable chesk fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 431, as follows:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for the regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons pro-



viding for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mother's Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1448) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Except as herein-after specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

\* \* \* \* \*

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten-two hundredths or less normal vision (3) has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4) is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person (5) is not at the date of making application an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be [forty dollars (\$40)] fifty dollars (\$50) per month Provided That any blind person with an actual income of [one thousand five hundred ninety-six dollars (\$1596)] one thousand seven hundred sixteen dollars (\$1716) or upwards and any blind person having (1) real property with an assessed valuation of over five thousand dollars (\$5000) or (2) personal property with an actual value of over five thousand dollars (\$5000) or (3) a combination of real and personal property with a total valuation of over five thousand dollars (\$5000) the valuation of the real property to be determined by its assessed valuation the valuation of the personal property to be determined by its actual value is not entitled to such pension the interest of a blind person in any property owned by the entireties shall be deemed to be a one-half interest And provided further That where a blind person has an income of less than [one thousand five hundred ninety-six dollars (\$1596)] one thousand seven hundred sixteen dollars (\$1716) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed [one

thousand five hundred ninety-six dollars (\$1596)] one thousand seven hundred sixteen dollars (\$1716) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of the moneys appropriated by this Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. I would like to have an explanation of this bill, what the purpose of it is, and what it does.

Mr. WACCHAUS. Mr. Speaker, I would be happy to give an explanation of Senate Bill 431 in the absence of Mr. Haudenschild, if he is not present.

Several months ago, we passed House Bill 470 doing almost exactly the same thing that Senate Bill 431 does. There are a few little differences, however. Senate Bill 431 seems to be more acceptable and more in line with the thinking of the folks over at the Department of Public Assistance, and for that reason 470, when it reached the Senate was kept in Committee there and Senate Bill 431 started through the Senate and reached us just a few days ago.

This bill provides for an increase of pension for the blind from \$40 to \$50, and increases the ceiling with comparable same amounts of \$120 a year, making the ceiling now \$1716 instead of \$1596.

One other provision which was not included in the Blind Pension Act before is it combines real property and personal property to the amount of \$5,000 where it previously had a real estate clause of only \$5,000. This is a combination of both real and personal property now.

The bill in its present form from the Senate is acceptable to blind who are happy to have been recognized to the extent of an increase in pension. It will make more than 15,000 blind persons throughout the Commonwealth tremendously happy. We appreciate all that has been done for the blind and shall continue to be appreciative in the future.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Marklev,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarrafa,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beach,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelschi,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,



Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Pettigrew,	Wargo,
DuBois,	Kratz,	Petrosky,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 455, as follows:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred fifty thousand dollars (\$350,000) or as much thereof as may be necessary is hereby appropriated to the Department of Health for the operation and maintenance of the Institute for Cancer Research Incorporated located at Fox Chase Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovanseck,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Geer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Gutendorf,	McCormack,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,

Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Greer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 548, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty-seven million one hundred thousand dollars (\$87,100,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and administrative expenses attorneys' fees and court costs

accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocation shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

Section 4 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time to provide necessary medical dental and surgical care for children as provided in the act of July 5 1947 (P. L. 1301) Provided however That during the biennium beginning the first day of June one thousand nine hundred fifty-one not more than one million dollars (\$1,000,000) shall be spent by the Department of Public Assistance to provide such necessary medical dental or surgical care Provided however That if the receipt of Federal funds is delayed during the month of May one thousand nine hundred fifty-one for the payment of assistance and administrative expenses as provided by the Public Assistance Law there is hereby appropriated out of the moneys appropriated by section one of this act sufficient moneys to meet the deficiency caused by the delay in the receipt of Federal funds

Section 5 out of moneys appropriated by section one of this act not over one-half of one per centum thereof may be used under the direction of the Governor for survey investigations and studies relative to the more efficient enforcement of the public assistance laws

Section 6 The provisions of this act shall become immediately upon enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek.
Andrews,	Greenwood,	Mazza,	Royer.
Banker,	Greer,	McConnell,	Rubin.
Barkdoll,	Guarnieri,	McCormack,	Sarra.
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schust.
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,

Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Fillip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordred, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 611, as follows:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation

Whereas According to the figures of the National Safety Council there were ninety thousand persons killed in the year one thousand nine hundred fifty in accidents in the United States and

Whereas The same report states there were eight million nine hundred thousand persons injured during the year one thousand nine hundred fifty and that all of these accidents caused disability extending beyond the day of the accident and no first aid or minor injury cases are included and

Whereas Property losses resulting from the accidents above mentioned amounted to about seven billion seven hundred million dollars This includes wage loss of two billion five hundred fifty million dollars medical expense of four hundred million dollars overhead costs of insurance of one billion six hundred million dollars property damage in motor vehicle accidents of one billion two hundred million dollars property loss in fires of six hundred eighty-eight million dollars and the indirect costs of occupational accidents of one billion three hundred million dollars and



Whereas Accidents were the fourth most important cause of death The only causes with more deaths were heart disease cancer and cerebral hemorrhage Among males alone in recent years only two causes heart disease and cancer ranked above accidents as a cause of death and

Whereas The existing national emergency and the resultant demands for the facilitation of Civil Defense measures and the great need for increased industrial production make the necessity for safety legislation more urgent than ever

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Legislative Findings The General Assembly of the Commonwealth of Pennsylvania concludes from the facts recited in the preamble of this act that it is evident that the whole field of public safety should be given a careful re-examination and a provocative effective and continuous safety campaign must be conducted by this Commonwealth so as to reduce the number of accidents and the causes creating them

Section 2 Creation of Commission (a) There is hereby created the Pennsylvania Public Safety Commission which shall be a permanent Commission which shall be under the immediate direction of the Governor

(b) The Pennsylvania Public Safety Commission shall be composed of the Governor ex officio the Secretary of Revenue the Secretary of Highways the Chairman of the Pennsylvania Public Utility Commission the executive director of the Pennsylvania Aeronautics Commission the Commissioner of the Pennsylvania State Police the Secretary of Labor and Industry the Secretary of Mines the Secretary of Agriculture the Commissioner of Insurance the Secretary of Welfare the Superintendent of Public Instruction the Chairman of the Pennsylvania Turnpike Commission or such representative from his department as each may designate in his stead two members of the General Assembly one from the Senate to be appointed by the President Pro Tempore of the Senate and one from the House of Representatives to be appointed by the Speaker of the House of Representatives the members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership and shall serve a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur and the Director of Public Safety hereinafter provided for who shall be Chairman of the Commission

(c) Seven members who are not members of the General Assembly shall constitute a quorum

(d) The Governor shall appoint a person as the Director of Public Safety who can successfully promote safety He shall receive such salary as the Governor may determine The Governor shall also appoint such necessary assistants as may be necessary to carry into effect the provisions of this act and to fix their compensation

(e) None of the members of the commission except the director shall receive any compensation for his duties as a member of the commission other than reimbursement for all expenses necessarily incurred in the discharge of his duties

Section 3 Duties of Commission It shall be the duty of the Pennsylvania Public Safety Commission

(1) To meet at least once a month and the meeting place shall rotate so that each meeting shall be held in the office of a different member The members shall present a review of the accident hazards within the purview of their respective departments giving emphasis to (a) new accident hazards and (b) any type of accident the occurrence of which is discovered to be increasing at a greater rate than that which is regarded as normal

(2) To ascertain home school farm institutional commercial establishment public assembly industrial mining all kinds of transportation whether by highway railway air or water accident hazards and to devise and suggest specific means for their elimination

(3) To cooperate with the Governor's Highway Safety Advisory Committee the press radio television and other interested groups in promoting safety

(4) To conduct a continuous campaign of public safety education

(5) To receive and consider complaints and suggestions made by the public with regard to safety measures

(6) To exercise such other functions which in the opinion of the commission will reduce the number of accidents and safeguard life and property

Section 4 Duties of Director (a) The Director of Public Safety shall not duplicate the gathering of statistical information which is presently being compiled by any other department or bureau of the Commonwealth

(b) It shall be the duty of the Director of Public Safety to organize and coordinate on a county level the activities of all municipal officers of counties cities boroughs towns and townships police firemen civilian defense organizations automobile clubs parent-teachers' associations labor farm industrial and business organizations church groups women's organizations local civic and service clubs and other local organizations public and private which may be of assistance in carrying out the purposes of this act

(c) In performing such duty the director shall personally advise consult with address and otherwise devote his official services to such organizations on a county level and shall contribute a considerable portion of his time to that end

(d) The director shall attend all meetings of the commission

Section 5 Powers of Existing Departments Boards etc All existing departments boards commissions and agencies having to do with safety matters shall receive the recommendations of the commission and the director and shall take the necessary steps to enforce the laws of this Commonwealth to improve immediately particularly hazardous conditions and to execute such recommendations

It is the purpose of this act to supplement existing governmental safety agencies with a clearing-house of information education and recommendations in order that they may better carry out the functions of enforcement and improvement of safety conditions delegated to them by the laws of this Commonwealth and nothing contained in this act shall be construed to limit or take away the powers of any existing department board commission or agency having to do with matters of safety

Section 6 Costs of Administration The salary of the director of Public Safety and the salaries of the personnel and the necessary expenses incurred by the members of the Pennsylvania Public Safety Commission and the director in carrying out their respective duties and for the payment of the expenses incident thereto shall be met out of the appropriation as hereafter set forth

Section 7 Appropriation The sum of forty-eight thousand dollars (\$48,000) or as much thereof as may be necessary is hereby appropriated to the Executive Department to be expended under the direction of the Governor in carrying out the specific provisions of this act for the two years beginning June first one thousand nine hundred fifty-one

Section 8 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 9 Effective Date The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,



Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toil,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnar,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 824, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board" for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is amended by adding at the end thereof a new subsection to read as follows

## Funds

## Section 8

\* \* \* \* \*

10 Any person who was a contributor carrying membership in the one one-hundred-sixtieth (1/160) class between the first day of September one thousand nine hundred forty-nine and the first day of July one thousand nine hundred fifty and eligible to transfer to the one one-hundred-fortieth (1/140) class but who retired before the effective dates of this act without making such transfer may effect such transfer by notifying and paying to the retirement board before the first day of June one thousand nine hundred fifty-two a sum equal to the difference between the sum of the amounts that would have been deducted from his salary after the first day of September one thousand nine hundred forty-nine until the date of his retirement if he had elected to contribute as a member of the one one-hundred-fortieth (1/140) class and the sum of the amounts actually deducted from his salary during such period Thereupon every such person shall be entitled as of the date of his retirement to the benefits provided by this act for members of the one one-hundred-fortieth (1/140) class

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovanssek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarrafa,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toil,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,



Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBols,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 865, as follows:

An Act making an appropriation to the Department of Agriculture for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars (\$50,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Agriculture for the purpose of making a survey and research study of the extent of infection of the woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication in order to protect maintain and preserve the several species of oak and chestnut trees growing in the State and thereby provide a continuous adequate supply of timber and food for domestic and wild life purposes The survey shall be undertaken by the Department of Agriculture with the cooperation of the Department of Forests and Waters and the Pennsylvania Game Commission the research study shall be performed by the Agricultural experimental stations affiliated with the Land Grant College of the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Goodling,	Markley,	Rovanssek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,

Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Swartz,
Byrne,	Hunter,	Monroe,	Stoner,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenen,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toil,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBols,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leven,	Polen,	Westrick,
Ferster,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 868, as follows:

An Act to amend section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" by clarifying the provisions thereof to include periods when licenses are revoked and periods after violation of laws and regulations governing private institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the

Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" is hereby amended to read as follows

Section 1 The Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department upon the advice of the Attorney General may maintain an action in the name of the Commonwealth for an injunction or other process restraining or prohibiting any person copartnership association or corporation from establishing conducting or operating without a license any private nursing home private hospital private boarding home private mental hospital or any other private institution whenever a license to engage in such activity is required by law and such licenses are issued by the department instituting suit and from conducting or operating any such private institution during any period when the license to engage in such activity is revoked by the department institution suit whether or not an appeal on such revocation is pending and during any period after which the licensee has violated the laws of this Commonwealth and the rules and regulations of the department issuing the license

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenschild,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bombberger,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendening,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varner,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBois,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunin,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,

Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker
Goodling,	Maxwell,		

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 886, as follows:

An Act validating county treasurer's deeds where the acknowledgment of such deed or deeds was defective in any respect or sale thereof not legally returned if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments and return duly made at a subsequent term

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land has been sold by the county treasurer of any county for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land and the county treasurer in pursuance of such sale executed a deed for said lands and acknowledgment of such deed by the county treasurer was defective in any respect or where such deed was not acknowledged in open court or where the records of the court failed to show a minute of such acknowledgment in open court or where the county treasurer's return to any tax sale so made was not made to the term such sale and such deed shall not be invalidated by reason of such defective acknowledgment or by reason of the fact that such deed was not acknowledged in open court or by reason of the fact that the records of the court fail to show a minute of such acknowledgment in open court or for failure to make return of any tax sale so made to the next term if in all other respects the law relating to the holding of such sale were fully complied with and the deed was in fact acknowledgments and a return thereof made at a subsequent term of court and all such treasurer's sales and treasurer's deeds are hereby ratified confirmed and validated and the title to any such land purchased by any person or by the county commissioners of any county at such treasurer's sale and the deed executed and acknowledged in open court proper minute thereof made and return to said tax sale duly made in full conformity with the law relating thereto

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovanssek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCullough,	Sarra,
Baumunk,	Gutendorf,	McCormack,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,



Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Fillip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lafore,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
Goodling,	Markley,		Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 887, as follows:

An Act to amend Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act it shall not be lawful in any civil suit or action in any court in this commonwealth wherein [an affidavit of claim] a complaint is or may be required and in which the plaintiff [by himself or his agent or attorney] shall have filed [an affidavit of claim setting forth the nature and amount thereof and shall have also filed declaration or statement] a complaint for the defendant to enter a rule of reference declaring his intention to have arbitrators chosen unless he shall have previously filed

[an affidavit of defence specifically setting forth the nature and character of the same] an answer in cases where an answer is required and a rule of reference shall in no case prevent the plaintiff from moving for or the court from entering judgment [for want of a sufficient affidavit of defence] on the pleadings in a proper case This section shall not apply to cases referred to the board of arbitrators by agreement under section 8.1 of the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Shoemaker,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Fillip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has has passed the same without amendment.

## BILL PASSED OVER

There being no objection,

Senate Bill No. 888, Printer's No. 732,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 903, as follows:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morganza

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to defray the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority for the purpose of acquiring holding constructing improving maintaining and operating sewage disposal facilities for the Pennsylvania Training School at Morganza Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarrafa,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstreser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boies,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Dougherty,	Kline,	Olsen,	Varnier,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,

Gibson,  
Gleason  
Good,

Lyons,  
Madden,  
Madigan,

Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 905, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred thousand dollars (\$600,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority for the purpose of acquiring holding constructing improving maintaining and operating a water supply system for supplying water to the Somerset State Hospital

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Greenwood,	Maxwell,	Rovansek,
Andrews,	Greer,	Mazza,	Royer,
Banker,	Guarnieri,	McConnell,	Rubin,
Baumunk,	Gutendorf,	McCormack,	Sarrafa,
Barkdoll,	Guthrie,	McCullough,	Sax,
Bear,	Hagerty,	McDermitt,	Scanlon,
Beaver,	Hall,	McGee,	Schmidt,
Beech,	Hamilton, R. K.,	McInroy,	Schuster,
Berkstreser,	Hamilton, W. H.,	McKinney,	Scott,
Blair,	Harney,	McMillen,	Seyler,
Bloom,	Haudenschild,	McNally,	Shoemaker,
Boies,	Headlee,	Metz,	Shotwell,
Bolton,	Helm,	Mihm,	Sollenberger,
Bomberger,	Hersch,	Mikula,	Smith,
Bower,	Hewitt,	Miller, H. G.,	Snider,
Breisch,	Hocker,	Miller, J. C.,	Spencer,
Breth,	Hoggard,	Mills,	Stank,
Brown,	Goodling,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dowling,	Kornick,	Petrosky,	Wachhaus,
	Kratz,	Pettigrew,	Wargo,



DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Waterhouse,
Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Wood,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Graybill,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 908, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred twenty-five thousand dollars (\$425,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of the expenses and charges incurred in acquiring holding constructing and improving sewage disposal facilities for the Norristown State Hospital at Norristown Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McInroy,	Schuster,
Berkstreaser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelsach,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,

Clendenning,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Munley,	Thompson, R. L.,	Toll,
Cooper,	Jones, P. F.,	Murray,	Tompkins,
Corr,	Jones, T. H. W.,	Musto,	Toomey,
Costa,	Jump,	Najaka,	VanSant,
Coyle,	Kamyk,	Naugle,	Varallo,
Dalrymple,	Keller,	Needham,	Varnier,
Davis,	Kent,	Olsen,	Verona,
Dennison,	Kline,	Penglase,	Wachhaus,
Dougherty,	Kohl,	Peta,	Wargo,
Dowling,	Kolankiewicz,	Petrosky,	Waterhouse,
DuBois,	Kornick,	Pettigrew,	Watkins,
Duffy,	Kratz,	Pfaff,	Weidner,
Dunn,	Kubacki,	Pichney,	Welsh,
Erb,	Lafore,	Pitzer,	Westcott,
Ewing,	Lederer,	Polaski,	Westrick,
Fenrich,	Leisey,	Polen,	Whalley,
Ferster,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leonard, W. C.,	Price, R. A.,	White,
Filo,	Leven,	Readinger,	Williams,
Firmstone,	Light,	Reagan,	Wilt,
Flack,	Limper,	Reese,	Wood,
Frost,	Loftus,	Reidenbach,	Yeakel,
Gaffney,	Lopresti,	Reilly, J. M.,	Yetzer,
Geer,	Lovett,	Rigby,	Young,
Gibson,	Lutty,	Riley, R. L.,	Ziegler,
Gleason,	Lyons,	Robertson,	Sorg,
Good,	Madden,	Rose,	Speaker
	Madigan,	Rosen,	

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 909, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars (\$150,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority for the purpose of acquiring holding constructing improving maintaining and operating sewage disposal facilities for the Pennsylvania Institution for Defective Delinquents at Huntingdon Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,

Beaver.	Guthrie.	McDermitt.	Schmidt.
Beech.	Hagerty.	McGee.	Schuster.
Berkstresser.	Hall.	McInroy.	Scott.
Blair.	Hamilton, R. K.	McKinney.	Seyler.
Bloom.	Hamilton, W. H.	McMillen.	Shoemaker.
Boles.	Harney.	McNally.	Shotwell.
Bolton.	Haudenschild.	Metz.	Smith.
Bomberger.	Headlee.	Mihm.	Snider.
Bower.	Helm.	Mikula.	Sollenberger.
Breisch.	Hersch.	Miller, H. G.	Spencer.
Breth.	Hewitt.	Miller, J. C.	Stank.
Brown.	Hocker.	Mills.	Stimmel.
Bucchin.	Hoggard.	Mintess.	Stoner.
Byrne.	Hunter.	Monroe.	Swartz.
Cella.	Jenkins.	Moore, C. E.	Swope.
Clapper.	Johnson.	Moore, H. A.	Tahl.
Clendening.	Jones, G. E.	Moran.	Taylor.
Cochran.	Jones, J. M.	Muldowney.	Thompson, E. F.
Conway.	Jones, P. F.	Munley.	Thompson, R. L.
Cooper.	Jones, T. H. W.	Murray.	Toll.
Corr.	Jump.	Musto.	Tompkins.
Costa.	Kamyk.	Najaka.	Toomey.
Coyle.	Keller.	Naugle.	VanSant.
Dalrymple.	Kent.	Needham.	Varallo.
Davis.	Kline.	Olsen.	Varnier.
Dennison.	Kohl.	Penglase.	Verona.
Dougherty.	Kolankiewicz.	Peta.	Wachhaus.
Dowling.	Kornick.	Petrosky.	Wargo.
DuBois.	Kratz.	Pettigrew.	Waterhouse.
Duffy.	Kubacki.	Pfaff.	Watkins.
Dunn.	Lafore.	Pichney.	Weldner.
Erb.	Lederer.	Pitzer.	Welsh.
Ewing.	Leisey.	Polaski.	Wescott.
Fenrich.	Leonard, L.	Polen.	Westrick.
Ferster.	Leonard, W. C.	Price, H. W. Jr.	Whalley.
Filip.	Leven.	Price, R. A.	Wheeler.
Filo.	Light.	Readinger.	White.
Firmstone.	Limper.	Reagan.	Williams.
Flack.	Loftus.	Reese.	Wilt.
Frost.	Lopresti.	Reidenbach.	Wood.
Gaffney.	Lovett.	Reilly, J. M.	Yeakel.
Geer.	Lutty.	Rigby.	Yetzer.
Gibson.	Lyons.	Riley, R. L.	Young.
Gleason.	Madden.	Robertson.	Ziegler.
Good.	Madigan.	Rosen.	Sorg.

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 939, as follows:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 808 [Election] Selection of Delegates and Alternate Delegates District delegates and alternate district delegates to national conventions of the respective parties shall be elected at the Spring primaries held in the years in which candidates for President of the United States are to be nominated Delegates at large and alternate delegates at large shall be similarly elected unless the rules of the State committee of a particular party authorize the election of its delegates at large and alternate delegates at large by the State committee of such political party at a regular meeting or at a special meeting called for the purpose

Section 809 Delegates [Elected] to National Convention If the rules of a political party do not specifically authorize the election of delegates at large and alternate delegates at large to a National party convention by the State committee of such political party candidates of the various political parties for the office of delegates at large and alternate delegates at large to a National party convention who receive a plurality of the votes of their party electors in the State at large shall be the duly elected delegates at large and alternate delegates at large to the National convention of their respective parties If the rules of a particular party authorize the election of delegates and alternate delegates at large to a National party convention by the State committee candidates who receive a majority of the votes of the entire State committee shall be the duly elected delegates at large and alternate delegates at large to the National convention of their party Candidates of the various political parties for the office of delegate and alternate delegate other than delegate at large and alternate delegate at large who receive a plurality of the votes of their party electors in the political district in which they are candidates shall be duly elected delegates and alternate delegates to the National convention of their respective parties The election of delegates at large and alternate delegates at large by State committees shall be held not later than the first day of April in the years in which candidates for President of the United States are to be nominated. The secretary of any political party the rules of which permit the election of delegates at large and alternate delegates at large by its State committee shall certify to the Secretary of the Commonwealth a copy of the rules prior to the first day on which nomination petitions may be filed in the office of the Secretary of the Commonwealth for the offices which are to be filled at the Spring primaries in the years in which candidates for President of the United States are to be nominated

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SWARTZ. Mr. Speaker, I would like someone to give me a little intelligence as to what this bill does and what good it does.

Mr. BOWER. Mr. Speaker, in reply to the question from Mr. Swartz, the intent of the bill is that the delegates-at-large in both political parties and the alternate delegates-



at-large by their party rules, the two political parties will be allowed to elect them or nominate or appoint them in a meeting of the State Committee of both parties.

Mr. SWARTZ. Mr. Speaker, at the present time the people select these by popular vote, is that right?

Mr. BOWER. Mr. Speaker, that is right.

Mr. SWARTZ. Mr. Speaker, in other words it would transfer the right of the selection of those delegates into the hands of the State Committee?

Mr. BOWER. Mr. Speaker, that is right.

Mr. SWARTZ. Mr. Speaker, I thank the gentleman for the information.

I want to be recorded as voting against this bill. I do not like the way we select our presidents now, and I do not think this is any improvement on our present system.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—203

Amarando,	Goodling,	Markley,	Rovanse,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. E.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelschi,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swope,
Cella,	Jenkins,	Moore, C. E.,	Tahl,
Clapper,	Johnson,	Moore, H. A.,	Taylor,
Clendenning,	Jones, G. E.,	Moran,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Conway,	Jones, P. F.,	Munley,	Toll,
Cooper,	Jones, T. H. W.,	Murray,	Tompkins,
Corr,	Jump,	Musto,	Toomey,
Costa,	Kamyk,	Najaka,	VanSant,
Coyle,	Keller,	Naugle,	Varallo,
Dalrymple,	Kent,	Needham,	Varner,
Davis,	Kline,	Olsen,	Verona,
Dennison,	Kohl,	Penglase,	Wachhaus,
Dougherty,	Kolankiewicz,	Peta,	Wargo,
Dowling,	Kornick,	Petrosky,	Waterhouse,
Duffy,	Kratz,	Pettigrew,	Watkins,
DuBois,	Kubacki,	Pfaff,	Weidner,
Dunn,	Lafore,	Pichney,	Welsh,
Erb,	Lederer,	Pitzer,	Wescott,
Ewing,	Leisey,	Polaski,	Westrick,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yetzer,
Geer,	Lutty,	Riley, R. L.,	Young,
Gibson,	Lyons,	Robertson,	Ziegler,
Gleason,	Madden,	Rose,	Sorg,
Good,	Madigan,	Rosen,	Speaker

#### NAYS—2

Rigby.

Swartz.

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### REPORT FROM COMMITTEE

Mr. McCORMACK from the Committee on Ways and Means, re-reported as committed, Senate Bill No. 666, entitled:

An Act to further amend clause (a) of Section 503 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear and determine certain petitions for refund by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions.

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 241.

An Act to amend section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the age range of children prohibited admittance to moving picture theatres during school hours

##### HOUSE BILL No. 587.

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceedings pertaining thereto and reestablishing the same as separate school districts

##### HOUSE BILL No. 1308.

An Act to further amend sections two and seven of the act approved the fourth day of June one thousand nine

hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing for the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further defining the term "municipality" to include joint-county departments of health by defining the term "joint-county health commission" and by providing that joint-county departments of health may join the retirement system

#### HOUSE BILL No. 1381.

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board of Private Trade Schools; and prescribing penalties," by further defining "agent"; prohibiting agents from representing more than one school; clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees.

#### HOUSE BILL No. 1658.

A Joint Resolution proposing an amendment to article eighth section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

#### HOUSE BILL No. 1704.

An Act to further amend sections 4 and 8 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located

#### HOUSE BILL No. 1710.

An Act to further amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by increasing the salary of members

#### HOUSE BILL No. 1739.

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 545.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further providing for determination of the compensation to be paid

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

### SENATE MESSAGE

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 27.

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees including teachers and other employees of the public school system and officers and employees of State-aided institutions of learning requiring oaths or affirmations by applicants for public office or employment and by present appointed officers and employees prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to State-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on State and local appointing authorities and certain other State officers



## SENATE BILL No. 41.

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees

## SENATE BILL No. 647.

An Act to further amend Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers hereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the salaries of the members of the Pennsylvania Securities Commission

## SENATE BILL No. 742.

An Act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein and for the transfer during disasters and emergencies of such auxiliary police members of the regular police forces and police equipment thereof

## SENATE BILL No. 769.

An Act requiring all buildings under construction or alteration which are to be five stories or more in height to be equipped with a temporary hoist or hoisting device or equipment for the use of building construction workmen imposing certain duties upon the Department of Labor and Industry and providing penalties

## SENATE BILL No. 801.

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns benefits and rights from taxation and judicial process and providing penalties," by permitting employees to make up back payments to the retirement

system from the time they entered school service and securing to such employees the full benefits of the retirement system from the time they entered school service.

## SENATE BILL No. 929.

An Act to amend the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds "by deleting certain duties imposed upon the recorder of deeds and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

## SENATE BILL No. 930.

An Act to amend the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" by deleting certain duties imposed upon the recorder of deeds and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

## FILES OF MEMBERS

The SPEAKER. Members who desire to have their bill files sent to their homes will please notify the Chief Clerk, otherwise they will not be shipped.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 27.

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees including teachers and other employees of the public school system and officers and employees of state-aided institutions of learning requiring oaths or affirmations by applicants for public office or employment and by present appointed officers and employees prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to state-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on state and local appointing authorities and certain other state officers

## SENATE BILL No. 41.

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending



certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes

SENATE BILL No. 552.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

SENATE BILL No. 554.

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

SENATE BILL No. 557.

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

SENATE BILL No. 560.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

SENATE BILL No. 561.

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

SENATE BILL No. 570.

A Supplement to the act aproved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Comonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore garnted to school employes entering the armed forces of the United States to certain other similarly qualified school employes

SENATE BILL No. 571.

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

SENATE BILL No. 577.

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority

SENATE BILL No. 579.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

SENATE BILL No. 647.

An Act to further amend Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive work of the Commonwealth by the Executive Department thereof and

the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistant and employes in certain departments boards and commissions and prescribing the manner in which the number and compansation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salaries of the members of the Pennsylvania Securities Commission

SENATE BILL No. 667

An Act to amend subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" by increasing the compensation of the members of board

SENATE BILL No. 685.

An Act to amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (Appropriation Acts page 49) entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two May one thousand nine hundred forty-six and April one thousand nine hundred forty-eight and of carrying out the provisions of existing laws relating thereto" by extending the purpose of the appropriation to cover all flood damage.

SENATE BILL No. 731.

An Act making an appropriation to the Department of Labor and Industry for the payment of certain moral claims providing for the hearing adjustment and payment of moral claims to members of the Workmen's Compensation Board and referees suffered as a result of delay in confirmation of appointments made by Governor to such offices.

SENATE BILL No. 732.

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or uner the control of the Pennsylvania National Guard

SENATE BILL No. 742.

An Act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein and for the transfer during disasters and emergencies of such auxiliary police members of the regular police forces and police equipment thereof



## SENATE BILL No. 754.

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth

## SENATE BILL No. 769.

An Act requiring all new buildings or additions to existing buildings which are to be seven stories or more in height to be equipped during the course of construction with a hoist or hoisting device or equipment with the required safety devices for the use of building construction workmen imposing certain duties upon the Department of Labor and Industry and providing penalties

## SENATE BILL No. 778.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire certain tracts of land for the use of the Harrisburg State Hospital and making an appropriation therefor

## SENATE BILL No. 801.

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties," by permitting employees to make up back payments to the retirement system from the time they entered school service and securing to such employees the full benefits of the retirement system from the time they entered school service.

## SENATE BILL No. 811.

An Act to further amend section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police

## SENATE BILL No. 872.

An Act to further amend Section 21 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice

procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by extending the time within which regulations must be filed in the Department of State

## SENATE BILL No. 897.

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employes in the City of Philadelphia by amendments or supplement to the Philadelphia Home Rule Charter

## SENATE BILL No. 929.

An Act to amend the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" by deleting certain duties imposed upon the recorder of deeds and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

## SENATE BILL No. 930.

An Act to amend the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances heretofore adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds" by deleting certain duties imposed upon the recorder of deeds and validating zoning ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

## HOUSE BILL No. 1441.

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

## HOUSE BILL No. 1442.

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Oc-

cupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 323

Mr. WOOD. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 323.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 323, entitled: "An act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditure of county funds."

Respectively submit the following bill as our report:

T. N. WOOD,

E. B. WATSON,

(Committee on the part of the Senate.)

NORMAN WOOD,

ALBERT W. JOHNSON,

LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars (\$30,000) or as much thereof as may be necessary is hereby appropriated to the Department of Agriculture for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes The moneys hereby appropriated shall be apportioned among and paid to the several counties appropriating and expending from the county treasury a sum equal to that received from the Commonwealth for such purpose

Section 2 The funds appropriated under this act shall be available for payment of salaries and wages purchase of supplies and other necessary and pertinent items in accordance with regulations promulgated by the Department of Agriculture under the provisions of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937"

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,  
Andrews,

Goodling,  
Graybill,

Markley,  
Maxwell,

Rovansek,  
Royer,

Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnar,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lelsey,	Pitzer,	Welsh,
Ewing,	Lederer,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1142

Mr. WOOD. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1142.

The report was read by the Clerk as follows.

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1142, entitled: "A further supplement to the act approved the first day of April, one thousand eight hundred sixty-three (P. L. 231) entitled 'An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges,' making an appropriation for carrying the same into effect."

Respectfully submit the following bill as our report:

T. N. WOOD,

E. B. WATSON,

(Committee on the part of the Senate.)



NORMAN WOOD,  
ALBERT W. JOHNSON,  
LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to carry into effect the act of Congress approved July second one thousand eight hundred sixty-two granting public land to the several states for educational purposes and subsequent acts of Congress related thereto and the act of the Legislature of Pennsylvania approved the first day of April one thousand eight hundred sixty-three and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the state to carry the same into effect the sum of seventeen million five hundred dollars (\$17,500,000) is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred fifty-one to the trustees of The Pennsylvania State College for the following purposes

(1) For the general maintenance of instruction research and extension in the School of Agriculture the Mont Alto State Forest School the School of Engineering the School of the Liberal Arts the School of Home Economics the School of Mineral Industries the School of Chemistry and physics the School of Education the Graduate School the School of Physical Education and Athletics for the general maintenance of other schools departments offices and services including repairs and improvements to the grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable the sum of seventeen million one hundred and five thousand dollars (\$17,105,000)

(2) For the use of the School of Agriculture for expenditure by the Agriculture Experiment Station for the support of research and investigation directed toward the development and production of superior strains of crops and livestock and to develop more efficient methods of producing and marketing such products the sum of one hundred fifty thousand dollars (\$150,000)

(3) For the maintenance and the support of research and experimental investigation on problems relating to the petroleum industry of the State the sum of fifty thousand dollars (\$50,000)

(4) For the purpose of carrying on research and investigation to discover by-products of anthracite and bituminous coal and uses therefor of developing new scientific chemical industrial domestic and other uses and new and extended markets for anthracite coal and its products and for employing engineers chemists technical experts assistants clerks stenographers and other employes and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation to be used by the School of Mineral Industries under the supervision of the State Department of Mines the sum of seventy thousand dollars (\$70,000) Provided That the moneys appropriated by this clause shall be available and expended only to the extent that a sum equal to fifty per centum of the amount to be expended by the Commonwealth is contributed to The Pennsylvania State College by the members of the anthracite and bituminous coal industry Affidavits evidencing such contributions shall be submitted by the College to the Auditor General

(5) For the support of research and investigation of basic problems affecting the slate and other non-metallic mineral industries the sum of thirty-five thousand dollars (\$35,000)

(6) For the support of research and investigation of long range basic problems affecting the mineral industries the sum of thirty-two thousand five hundred dollars (\$32,500)

(7) For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of fifty-seven thousand five hundred dollars (\$57,500) Provided That no more shall be expended from this item than may be required to match an equal sum contributed to the College by one or more industries for such research and investigation Affidavits evidencing such contributions shall be submitted by the College to the Auditor General

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Buchlin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Westcott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reldenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			

Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

# REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1224

Mr. WOOD. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1224.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1224, entitled: "An act making an appropriation to aid certain school districts."

Respectfully submit the following bill as our report:

T. N. WOOD,  
E. B. WATSON,  
(Committee on the part of the Senate.)  
NORMAN WOOD,  
ALBERT W. JOHNSON,  
LEON J. KOLANKIEWICZ,  
(Committee on the part of the House of Representatives.)

An Act making an appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred thousand dollars (\$500,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for deraying the necessary cost for the administration thereof for the two fiscal years beginning June first one thousand nine hundred fifty-one

Section 2 No financial aid shall be given under this act to a school district unless the State Tax Equalization Board is satisfied that assessing authorities have been properly assessing real property within its jurisdiction and the school board is levying an adequate tax rate

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Goodling,	Markley,
Andrews,	Graybill,	Maxwell,
Banker,	Greenwood,	Mazza,
Barkdoll,	Greer,	McConnell,
Baumunk,	Guarnieri,	McCormack,
Bear,	Gutendorf,	McCullough,
Beaver,	Guthrie,	McDermitt,
Beech,	Hagerty,	McGee,
Berkstresser,	Hall,	McInroy,
Blair,	Hamilton, R. K.,	McKinney,
Bloom,	Hamilton, W. H.,	McMillen,
Boles,	Harney,	McNally,
Bolton,	Haudenschild,	Metz,
Bomberger,	Headlee,	Mihm,
Bower,	Helm,	Mikula,
Brelsch,	Hersch,	Miller, H. G.,
Breth,	Hewitt,	Miller, J. C.,
Brown,	Hocker,	Mills,
Bucchin,	Hoggard,	Mintess,
Byrne,	Hunter,	Monroe,
Cella,	Jenkins,	Moore, C. E.,
Clapper,	Johnson,	Moore, H. A.,
Clendening,	Jones, G. E.,	Moran,
Cochran,	Jones, J. M.,	Muldowney,
Conway,	Jones, P. F.,	Munley,
Cooper,	Jones, T. H. W.,	Murray,
Corr,	Jump,	Musto,
Costa,	Kamyk,	Najaka,
Coyle,	Keller,	Naugle,
Dalrymple,	Kent,	Needham,
Davis,	Kline,	Olsen,

Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus
Dowling,	Kornick,	Petrosky,	Wargo,
DuBols,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzler,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

# REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1397

Mr. WOOD. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1397.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1397, entitled: "An act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense."

Respectfully submit the following bill as our report:

T. N. WOOD,  
E. B. WATSON,  
(Committee on the part of the Senate.)  
NORMAN WOOD,  
CHARLES C. SMITH,  
HIRAM G. ANDREWS,  
(Committee on the part of the House of Representatives.)

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million nine hundred fifty-five thousand dollars (\$3,955,000) or as much thereof as may be necessary is hereby appropriated to the State Council of Civil Defense for the two fiscal years beginning June first one thousand nine hundred fifty-one

(a) A total not to exceed one million two hundred thousand dollars (\$1,200,000) for the purpose of paying salaries wages postage printing and other necessary expenses workers and coordination of local civil defense program including administration operation of an aircraft observation and warning system training of key civil defense workers and coordination of local civil defense activities throughout the Commonwealth and

(b) A total not to exceed two million seven hundred and fifty-five thousand dollars (\$2,755,000) to be held in reserve for the purpose of employing temporary workers renting or purchasing outright or with Federal grants-in-aid such equipment materials and supplies as may be required to meet actual disaster or the threat of immediate disaster

The appropriation made under this clause (b) shall be



used only upon allocation by the State Council of Civil Defense and approval of the Governor

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bolton,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisich,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnier,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1582

Mr. WOOD. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1582.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1582, entitled: "An act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania, for improvements to such land and for repairs and improvements to buildings on such land."

Respectfully submit the following bill as our report:

T. N. WOOD,  
E. B. WATSON,  
(Committee on the part of the Senate.)

NORMAN WOOD,  
ALBERT W. JOHNSON,  
LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania and for repairs and improvements to buildings on such land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and forty thousand dollars (\$140,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to purchase with the approval of the Governor and the Board of Trustees of Thaddeus Stevens Trade School in the name of the Commonwealth from the County of Lancaster that plot of ground formerly used as the Childrens' Home of Lancaster County situate in the City of Lancaster Pennsylvania containing approximately 8 and  $\frac{3}{4}$  acres and having thereon erected a three and  $\frac{1}{2}$  story brick dormitory building and two 2 and  $\frac{1}{2}$  story brick dwellings and other appurtenances more fully described as follows

Beginning at a point the corner of East End Avenue and South Ann Street and extending South along Ann Street a distance of 524.8 feet to property of William C. Wagner thence East a distance of 160 feet to a point thence South 440 feet to Dauphin Street thence East along Dauphin Street 306 feet to South Marshall Street thence along South Marshall Street North 964.8 feet to East End Avenue thence along East End Avenue 466 feet to the place of beginning

Section 2 Such plot of land when purchased shall be added to the lands of the Thaddeus Stevens Trade School The deed of conveyance shall be deposited with the Secretary of Internal Affairs Such land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of twenty thousand dollars (\$20,000) or as much thereof as may be necessary is hereby specifically appropriated to the Thaddeus Stevens Trade School for the installation of a heating system in the dormitory building on the land authorized to be purchased pursuant to section one of this act and for other repairs and improvements to existing buildings on such land

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,

Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse
Duffy,	Lafore,	Pichney,	Watkins
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 759.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation protection and development of buildings and grounds at Ephrata Cloisters a famous historical shrine belonging to the Commonwealth.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Section 1, page 2, line 2, by striking out after the word "of" the following: "seventy-five thousand dollars (\$75,000)" and inserting in lieu thereof the following: "thirty thousand dollars (\$30,000)"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermit,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Headlee,	Metz,	Shotwell,
Bolton,	Helm,	Mihm,	Smith,
Bomberger,	Hocker,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hoggard,	Mills,	Stank,
Brown,	Hunter,	Mintess,	Stimmel,
Bucchin,	Jenkins,	Monroe,	Stoner,
Byrne,	Johnson,	Moore, C. E.,	Swartz,
Cella,	Clapper,	Moore, H. A.,	Swope,
Clapper,	Clendening,	Moran,	Tahl,
Clendening,	Cochran,	Muldowney,	Taylor,
Cochran,	Conway,	Munley,	Thompson, E. F.,
Conway,	Cooper,	Murray,	Thompson, R. L.,
Cooper,	Corr,	Musto,	Toll,
Corr,	Costa,	Najaka,	Tompkins,
Costa,	Coyle,	Naugle,	Toomey,
Coyle,	Dalrymple,	Needham,	VanSant,
Davis,	Davis,	Olsen,	Varallo,
Dennison,	Kolankiewicz,	Penglase,	Varner,
Dougherty,	Kornick,	Peta,	Verona,
Dowling,	Kratz,	Petrosky,	Wachhaus,
DuBois,	Kubacki,	Pettigrew,	Wargo,
Duffy,	Lafore,	Pfaff,	Waterhouse,
Dunn,	Lederer,	Pichney,	Watkins,
Erb,	Leisey,	Pitzer,	Weidner,
Ewing,	Leonard, L.,	Polaski,	Welsh,
Fenrich,	Leonard, W. C.,	Polen,	Wescott,
Ferster,	Leven,	Price, H. W. Jr.,	Westrick,
Filip,	Light,	Price, R. A.,	Whalley,
Filo,	Limper,	Readinger,	Wheeler,
Firmstone,	Loftus,	Reagan,	White,
Flack,	Lopresti,	Reese,	Williams,
Frost,	Lovett,	Reidenbach,	Wilt,
Gaffney,	Lutty,	Reilly, J. M.,	Wood,
Geer,	Lyons,	Rigby,	Yeakel,
Gibson,	Madden,	Riley, R. L.,	Yetzer,
Gleason,	Madigan,	Robertson,	Young,
Good,	Markley,	Rose,	Ziegler,
Goodling,		Rosen,	Sorg,
			Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 609.

An Act to further amend Sections 10 and 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal im-



provements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 2, page 4, line 18, by striking out after the word "the" the following: "fourteenth day of April one thousand nine hundred forty-nine (P. L. 470) and by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1494)" and inserting in lieu thereof the following: "tenth day of May one thousand nine hundred fifty-one (P. L. 288)";

Page 5, line 8, by striking out after the word "fled" the words "in cases of tax claims"; page 5, line 9, by striking out after the word "facias" the following: "and in cases of other than tax claims after judgment on the scire facias."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek.
Andrews,	Greenwood,	Mazza,	Royer.
Banker,	Greer,	McConnell,	Rubin.
Barkdoll,	Gutendorf,	McCormack,	Sarraff.
Baumunk,	Guarnieri,	McCullough,	Sax.
Bear,	Guthrie,	McDermitt,	Scanlon.
Beaver,	Hagerty,	McGee,	Schmidt.
Beech,	Hall,	McInroy,	Schuster.
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott.
Blair,	Hamilton, W. H.,	McMillen,	Seyler.
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Boiton,	Headlee,	Mihm,	Smith.
Bomberger,	Helm,	Mikula,	Snider.
Bower,	Hersch,	Miller, H. G.,	Sollenberger.
Brelsch,	Hewitt,	Miller, J. C.,	Spencer.
Breth,	Hocker,	Mills,	Stank.
Brown,	Hoggard,	Mintess,	Stimmel.
Buccin,	Hunter,	Monroe,	Stoner.
Byrne,	Jenkins,	Moore, C. E.,	Swartz.
Cella,	Johnson,	Moore, H. A.,	Swope.
Clapper,	Jones, G. E.,	Moran,	Tahl.
Clendenning,	Jones, J. M.,	Muldowney,	Taylor.
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.
Cooper,	Jump,	Musto,	Toll.
Corr,	Kamyk,	Najaka,	Tompkins.
Costa,	Keller,	Naugle,	Toomey.
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo.
Davis,	Kohl,	Penglase,	Varner.
Dennison,	Kolankiewicz,	Peta,	Verona.
Dougherty,	Kornick,	Petrosky,	Wachhaus.
Dowling,	Kratz,	Pettigrew,	Wargo.
DuBois,	Kubacki,	Pfaff,	Waterhouse.
Duffy,	Lafore,	Pichney,	Watkins.
Dunn,	Lederer,	Pitzer,	Weidner.

Erb.  
Ewing.  
Fenrich.  
Ferster.  
Fillp.  
Filo.  
Firmstone.  
Flack.  
Frost.  
Gaffney.  
Gear.  
Gibson.  
Gleason.  
Good.  
Goodling.

Leisey.  
Lechard, L.  
Leonard, W. C.,  
Leven.  
Light.  
Limper.  
Loftus.  
Lopresti.  
Lovett.  
Lutty.  
Lyons.  
Madden.  
Madigan.  
Markley.

Polaski.  
Polen.  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese.  
Reidenbach.  
Relly, J. M.,  
Rigby.  
Riley, R. L.,  
Robertson,  
Rose.  
Rosen.

Welsh.  
Weccott.  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt.  
Wood.  
Yeakel,  
Yetzer,  
Young.  
Ziegler,  
Sorg.

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1113.

An Act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof, requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 7, line 13, by striking out after the word "effective" the following: "on the first day of July one thousand nine hundred fifty-one" and inserting the following: "immediately upon final enactment"; page 7, line 16, by striking out after the word "after" the words "said date" and inserting the following: the first day of July one thousand nine hundred and fifty-one and before the first day of July one thousand nine hundred and fifty-three

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarneri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Buccchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour and thirty minutes. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## RESOLUTION

## INVESTIGATION OF JUVENILE COMIC BOOKS

Mr. MORAN offered a resolution and asked and obtained unanimous consent for it to be read for the information of the House.

The resolution was read for information as follows:

In the House of Representatives, December 21, 1951.

The comic book available on the newsstand and at the magazine counter, designed primarily for juvenile consumption and purchased largely by its intended market, is a comparatively recent venture in the publishing world.

While many comic books provide wholesale reading for children and while the contents of many others are harmless, there is a type of publication masquerading as a "comic" book, the subject matter of which is lurid, gruesome, fear-inspiring, and morbid, to say the least.

This type of "comic" book purports to be published subject to the publishers' self-imposed code of decency. If these standards, as exemplified by the type of publication put on the market week after week, are the best publishers can arrive at, it is incumbent upon the legislature to investigate the need for establishing standards of decency adequate to protect the impressionable minds of our children; now therefore be it

Resolved (by the House of Representatives), That the Joint State Government Commission is hereby directed to make a study of comic books, available for sale to children in this Commonwealth and to investigate their contents, particularly with reference to the gruesome, morbid type hereinbefore referred to. After completing such study it shall make such recommendations as it deems necessary with respect to the establishment of standards commensurate with the proper education and protection of the impressionable minds of our children, together with accompanying drafts of necessary legislation, and submit its report thereon to the General Assembly at its next regular session.

The SPEAKER. The resolution will be filed with the Clerk.

## PERMISSION TO ADDRESS HOUSE

Mr. MORAN asked and obtained unanimous consent to have his remarks extended on the records as follows:

Mr. Speaker, browsing through a magazine stand this week, I was jarred by the gruesome cover on a comic book. The contents of this colored pulp story book were so shocking I felt I had to tell you about it.

Your children can buy a nightmare for a dime. Terror for tots is big business. The Frankensteins who produce this stuff that bad dreams are made of blossoms opulent on the intense curiosity and deep impressionability of the young. Tales from Twain are passe. Tales from the Crypt are sell-outs. The recipe is simple. Take the hollow face of a zombie and mix well with ghouls, shrunk heads and decomposed bodies. The bigger the portion—the better the dish.

The April-May cover of "Tales from the Crypt" features a rather shabby coffin-filled vault. A young man wearing an expression of violent dread is shown clawnig at the steel door while watching a partly decomposed body draped in tattered clothing rise up from one of the wooden boxes. His nose is rotted off, eyes eaten out, part of an ear is gone, his skin hangs casually over rotted teeth yet somehow he manages to leer at the reader. By way of explanation the terrified youth at the crypt door is fed this line "Locked . . . I'm locked in this Mausoleum with . . . with this THING!" Comic? Let's turn the page.



This is the mood page to prepare you for your adventure in horror. It is clobbered with comic characters . . . a clumsily wrapped mummy, a cute, green monster with one eye and two pointed teeth, a wild-eyed ape, a few formless ghosts, a shriveled head, a dozen bats hanging head downward apparently bored with it all, and your hostess, the Crypt Keeper definitely not the twin with the toni. She speaks, "Welcome, dear fiends; Come into the Crypt of terror. I see it is time to tell you another of my spine-tingling horror stories. This one is sure to freeze the blood in your veins . . . Guaranteed to make shivers run up and down your crawling spine. This adventure into terror . . . this chilling ordeal is about to happen to YOU. YOU are the main character. Get a good grip on yourself."

The first story titled "Reflection of Death" talks directly and personally to the wide-eyed juvenile devotees. You are driving down the highway with a friend. There is an accident. You awaken and find yourself lying at the edge of a road. There is no sign of a wreck . . . just road reaching into night. A car passes . . . you put your hand up to stop it . . . step up to the driver and see a look of stark terror in his eyes. He shrieks and drives away. You pass a hobo huddled near a fire. He smiles and invites you to some stew. You move into the firelight, the blood drains from his face . . . he runs screaming into the night. You come across a paper dated two months from the accident. It's impossible you think. You were driving home from a New Year's Eve party. It can't be the 26th of February. You reach your home. It is boarded up. You go to your friend's house who was with you when the accident happened. You tell him your story . . . how people screamed when they saw you but he had not. He is blind. He doesn't believe you . . . says you were killed . . . horribly mangled . . . You are dead . . . you stagger towards a mirror . . . you see a face almost completely rotted away. To quote again from this pretty prose, "you scream. You open your rotted, torn, decomposed mouth and scream." The story continues through two additional pages of nauseous nightmares and once again your drooling hostess rises to greet you. "Like being a corpse, kiddies. Well, you might as well get used to it. It's bound to happen. Maybe you'll know it's coming by having a dream like the one in this story. If you do, you'll have something to look forward to."

The fascinated little readers are then turned over to The Old Witch for a terrifying tale which she calls "Last Respects." Briefly, this is the story of an heiress and her chauffeur. They are secretly married. Her scrooge uncle whom she lives with discovers her secret while she is delirious with pneumonia. He refuses to let her husband see her. She dies and is taken to a vault where her chauffeur husband comes to pay his last respects and to mutter over her casket that he has killed her uncle. A storm comes up and blocks the door to the vault shut. He's trapped in the mausoleum. Days . . . then weeks pass. His knocking and shouting grows weaker. A month later the door is opened by an attendant who finds him recently dead. The coffin had been pried open. Bones are scattered on the floor. He had stayed alive for almost a month by catching water in an urn and eating his wife. He had died of embalming fluid poisoning. "They took him away. They put the white picked-clean bones back into

the coffin and sealed it up again." This witch fades out with this bit of comment. "It was a meaty little tale, wasn't it? They all killed each other so to speak. I hope you didn't . . . er . . . choke up at the sad ending. If your stomach's doing flip-flops, I'll turn you back to the crypt keeper. He has another tale for you to chew on."

This comic book is published by Educational Comic's Inc., New York city. A small seal on the upper left-hand corner of the cover stamps it as "an entertaining comic." The seal on the right is marked "conforms to the comics code. Authorized by A.C.M.P." The inside cover asks the reader to look for this seal. "This seal is used by the Association of Comics Magazines Publishers which believes in decency and good taste." They continue by stating they believe in self regulation. They say if you want the best comic magazines, always look for the seal because it is your guarantee of quality and entertainment. "Only the best comics carry the seal."

"The Association is constantly working to give you better entertainment and more information about the world we live in. It works with Parent-Teacher Associations, educational groups, women's clubs, religious organizations of very faith. Show this advertisement to your parents so they too will understand what the better comic magazines publishers are doing to raise standards."

What are they doing if they continue to publish these morbid tales? What are we doing to stop them? Your children are the victims of this terror form of comic lurking behind a code of "decency" and "good taste."

Ten cents is too big a price for your children to pay for frightful dreams, extreme fear, nervous disorders. Your state legislature has the power to ban these dime monsters. You have the power to make them.

The publishers of these fright funnies are getting away with murder—the cold blooded premeditated murder of a child's peace of mind.

## REPORT OF COMMITTEE ON CONFERENCE OF HOUSE BILL NO. 1421

Mr. WOOD. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1421.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1421, entitled: "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one."

Respectfully submit the following bill as our report:

T. N. WOOD,  
E. B. WATSON,  
(Committee on the part of the Senate.)

NORMAN WOOD,  
ALBERT W. JOHNSON,  
LEON J. KOLANKIEWICZ,

(Committee on the part of the House of Representatives.)

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support



of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The General Appropriation Act" of one thousand nine hundred fifty-one

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-one and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

#### I Executive Department

##### To the Governor

For the payment of the salary of the Governor and the salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employees for the payment of general expenses supplies printing and equipment and any other expenses whatsoever necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the payment of the costs of auditing the Department of the Auditor General as provided by law for the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the Governor to represent the Commonwealth in any capacity for the expenses incurred in the conduct of the Executive Mansion including the maintenance of employees assigned thereto for the expenses of entertainment of official guests and for the expense incident to the participation of the Governor in the Governor's Conference the sum of six hundred fifty-four thousand dollars (\$654,000)

For the cost of painting a portrait of ex-Governor James H Duff to be placed in the office of the Governor the sum of seven hundred fifty dollars (\$750)

For the cost of making surveys studies and investigations of the state government and its agencies the sum of one hundred thousand dollars (\$100,000)

##### To the Lieutenant Governor

For the payment of the salary of the Lieutenant Governor and for all necessary expenses including postage telegrams telephone toll charges and traveling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges for the Department of Property and Supplies for the use of automobiles for the Lieutenant Governor the sum of eighty-seven thousand five hundred dollars (\$47,500)

For the cost of painting a portrait of ex-Lieutenant Governor Daniel B Strickler to be placed in the office of the Lieutenant Governor the sum of seven hundred fifty dollars (\$750)

##### To the Department of the Auditor General

For the payment of the salary of the Auditor General and the salaries wages and other compensation of a deputy Auditor General and other employees for the payment of general expenses for the payment of rental of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of two million two hundred ninety-five thousand dollars (\$2,295,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars (\$1,000)

For the payment of fees to county officers for furnishing information to the officers of the Commonwealth as provided by law the sum of four thousand dollars (\$4,000)

For the payment of salaries and expenses of the Board of Arbitration of Claims the sum of seventeen thousand dollars (\$17,000)

##### To the Treasury Department

For the payment of the salary of the State Treasurer and the payment of salaries wages or other compensation of a deputy State Treasurer and other employees for the payment of general expenses for the purchase through the Department of Property and Supplies as agent of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million three hundred fifty thousand dollars (\$1,350,000)

For the payment of salaries or other compensation of a secretary and other employees and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of one hundred thirty-five thousand dollars (\$135,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State College the sum of fifty two thousand forty dollars (\$52,040)

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for service rendered in connection with the registration transfer and payment of interest on World War I Veterans' Compensation Bonds Public Buildings Construction Bonds and for World War II Veterans' Compensation Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of one hundred eight thousand six hundred ninety-four dollars (\$108,694)

For the payment of legal fees publications of advertisements cost of engraving and any other expenses incurred in the issuing of tax anticipation notes the sum of fifty thousand dollars (\$50,000)

For the payment of the expenses of publishing statements of the General Fund and other funds of the Commonwealth the sum of twenty thousand dollars (\$20,000)

For the payment of the cost of printing or engraving of bonds required by the Loan and Transfer Agent in making exchanges as requested by bondholders the sum of five hundred dollars (\$500)

For refunding the balances due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars (\$1,000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled canceled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars (\$2,500)

For refunding transfer inheritance taxes on estates of sident decedents paid in error or overpaid the sum of two hundred fifty thousand dollars (\$250,000)

For refunding transfer inheritance taxes on estates of nonresident decedents paid in error or overpaid the sum of ten thousand dollars (\$10,000)

For refunding moneys paid by any person to any professional examining board or advisory committee or to the Department of Public Instruction on behalf of any such board or advisory committee the sum of five thousand dollars (\$5,000)

For refunding fees pair or notary public commissions when such commissions have not been issued or if is-



sued or if issued have not received and have been cancelled the sum of four thousand dollars (\$4,000)

For refunding moneys which were paid into the State Treasury through escheat proceedings or without escheat either voluntary or by order of court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of two hundred twenty-five thousand dollars (\$225,000)

For the purpose of refunding moneys other than taxes paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropriation the sum of fifteen thousand dollars (\$15,000)

For the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital institution for the feeble-minded in part supported by the Commonwealth the sum of fifty thousand dollars (\$50,000)

For the purpose of refunding fees paid in connection with renewal applications for registration under The Securities Act which have been canceled before January first of the year for which the fees were paid the sum of five hundred dollars (\$500)

For the purpose of refunding collections by the Department of Public Assistance the sum of twenty-five thousand dollars (\$25,000)

For the payment of approved claims for refund of cigarette tax permit fees and cigarette tax stamps the sum of five hundred dollars (\$500)

For refunding liquid fuels tax erroneously paid or overpaid into the General Fund the sum of two thousand dollars (\$2,000)

For the payment of approved claims for refunds of fines collected under the provisions of the Motor Vehicle Code the sum of two thousand five hundred dollars (\$2,500)

For the refund of moneys collected under the provisions of the "State Personal Property Tax Act" the sum of one thousand dollars (\$1,000)

For the payment of approved claims for refund of Oleomargarine License Fees collected under the provisions of Section 2 of the Act of 1901 (P. L. 327) as amended and not heretofore refunded the sum of one million dollars (\$1,000,000)

For the payment into the World War I Veterans' Compensation Sinking Fund to meet the interest and sinking fund requirements of the bonds issued under authority of the act approved the fifth day of January one thousand nine hundred thirty-four (one thousand nine hundred thirty-three and one thousand nine hundred thirty-four P. L. 219) the sum of five million forty-eight thousand nine hundred forty-two dollars fifty cents (\$5,048,942.50) according to the following schedule

Date of Payment	Principal	Interest	Total
Sept. 1, 1951 ..	.....	\$162,500.00	\$162,500.00
Nov. 1, 1951 ..	.....	60,000.00	60,000.00
March 1, 1952 .	\$1,237,253.21	162,500.00	1,399,753.21
May 1, 1952 ...	912,843.04	60,000.00	972,843.04
Sept. 1, 1952 ..	.....	121,875.00	121,875.00
Nov. 1, 1952 ..	.....	30,000.00	30,000.00
March 1, 1953 .	1,237,253.21	121,875.00	1,359,128.21
May 1, 1953 ..	912,843.04	30,000.00	942,843.04
Totals ....	\$4,300,192.50	\$748,750.00	\$5,048,942.50

For payment into the Public Buildings Construction Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the provisions of article nine section twenty-one of the Constitution of Pennsylvania as authorized by the 1947 Session of the General Assembly the sum of four million three hundred

sixty-one thousand two hundred sixty dollars (\$4,361,260) according to the following schedule

Date of Payment	Principal	Interest	Total
Oct. 1, 1951 ..	\$750,000.00	\$344,000.00	\$1,094,000.00
April 1, 1952 ..	750,000.00	343,500.00	1,093,500.00
Oct. 1, 1952 ...	750,000.00	344,000.00	1,094,000.00
April 1, 1953 ..	750,000.00	329,760.00	1,079,760.00
Totals ....	\$3,000,000.00	\$1,361,260.00	\$4,361,260.00

For the payment into the World War II Veterans' Compensation Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the authority of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) the sum of sixty million seven hundred thirty thousand dollars (\$60,730,000) according to the following schedule

Date of Payment	Principal	Interest	Total
March 1, 1952 .	\$27,000,000.00	\$567,500.00	\$27,567,500.00
Aug. 15, 1952 ..	.....	471,250.00	471,250.00
Sept. 1, 1952 ..	.....	2,610,000.00	2,610,000.00
Feb. 15, 1953 ..	.....	471,250.00	471,250.00
March 1, 1953 .	27,000,000.00	2,610,000.00	29,610,000.00
Totals ....	\$54,000,000.00	\$6,730,000.00	\$60,730,000.00

#### To the Department of Agriculture

For the payment of the salary of the Secretary of Agriculture and the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides fungicides and other materials for control and eradication of plant pests and diseases for payment of necessary expenses including vaccination of animals and for work of testing of animals to prevent spreading of dangerous contagious and infectious diseases and the purchases of necessary supplies for conducting such work for the payment of any loss or damage by dogs to livestock domestic game birds and poultry as provided by law for the payment of expenses of the State Farm Show Commission and the Pennsylvania Official Egg Laying Contest and for the payment of the expenses of the department in the operation of diagnostic laboratories for the control and eradication of livestock and poultry diseases the sum of four million three hundred sixteen thousand dollars (\$4,316,000)

For the payment of indemnities for animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law for the purchase of materials and for the payment of salaries wages and the necessary expenses including vaccination of animals for control of dangerous contagious and infectious diseases the sum of two million dollars (\$2,000,000)

For the payment of the expenses of the department in conducting research and diagnostic work to find measures for control prevention and curing of diseases of livestock and poultry the sum of seventy-five thousand dollars (\$75,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of livestock products horticultural products handiwork cereals bees and bee products as provided by law Provided That such associations file such reports as may be required by the Secretary of Agriculture the sum of one hundred thousand dollars (\$100,000)

#### To the Department of Banking

For the payment of salaries wages or other compensation of the members of the Securities Commission and employees and for the payment of general expenses supplies printing and equipment necessary for the administration and enforcement of the Securities Act the sum of one hundred eighty-six thousand dollars (\$186,000)

#### To the Department of Commerce

For the payment of the salary of the Secretary of



Commerce and for the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of one million two hundred thirty-two thousand dollars (\$1,232,000)

For the payment of salaries wages or other compensation of a secretary and employees for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Planning Board the sum of two hundred fifty-six thousand five hundred dollars (\$256,500)

#### To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests and Waters and for the payment of the salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park State Parks Commission and Regional State Park Boards for emergency control and extinction of forest fires for maintenance of the State-Federal Flood Warning System for the purchase of telephone equipment and the cost of telephone rentals at towers park and forest field officers ranger stations and other necessary locations for the erection and repairs of buildings for the development of natural resources on lands owned by the department for the payment of royalties on gas oil or other minerals the sum of five million nine hundred fifty-five thousand five hundred dollars (\$5,955,500)

For stream clearance and conservation and flood control including stream channel improvement construction of dams and protective works for flood control purposes improvement and development of State parks rehabilitation and maintenance of the Delaware Division of the Pennsylvania Canal study of water resources the sum of two million three hundred fifty thousand (\$2,350,000)

For the payment of necessary expenses incurred for the maintenance of the Schuylkill River desilting project and preventing future silting of the Schuylkill River sum of one million sixty-five thousand dollars (\$1,065,000)

For the payment of expenses incurred for the extinction and control of forest fires the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred eighty thousand dollars (\$180,000)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Valley Fork Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing and photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary

of Forests and Waters the sum of two hundred thirty-one thousand two hundred dollars (\$231,200)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Park and Harbor Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of petties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred forty-two thousand dollars (\$142,000)

For the payment of necessary expenses incurred for the rehabilitation prevention of erosion and protection of Presque Isle Peninsula the sum of five hundred thousand dollars (\$500,000)

For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxiliary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of three hundred ninety-four thousand dollars (\$394,000)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of sixteen thousand dollars (\$16,000)

For the payment of the salaries or other compensation of a secretary and such other employees including among others captains pilots engineers harbor masters firemen deckhands watchman laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of one hundred one thousand five hundred dollars (\$101,500)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Bushy Run Battlefield Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials photography distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of twenty-one thousand dollars (\$21,000)

#### To the Department of Health

For the payment of the salary of the Secretary of Health and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of seven million one hundred eighty-four thousand dollars (\$7,184,000) any portion of these funds may be used to carry out the provisions of the Local Health Administration Law with respect to state grants to county departments of health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting cancer research the study of facilities and the dissemination of information as to diagnosis and treatment of cancer the sum of two hundred fifty-four



thousand dollars (\$254,000) any portion of these funds may be used to carry out the provisions of the Local Health Administration Law with respect to state grants to County Departments of Health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting prevention care diagnosis and treatment of rheumatic fever and rheumatic heart diseases the sum of two hundred forty-six thousand dollars (\$246,000) any portion of these funds may be used to carry out the provisions of the Local Health Administration Law with respect to state grants to County Departments of Health and to cities eligible for such grants

For the payment of salaries wages or other compensation of superintendents and other employees for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and live stock for the payment to fire companies of costs of fighting fires upon approval of the institutional and the department of incidental expenses and all other expenses for maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of twelve million seven hundred thirty-eight thousand dollars (\$12,738,000) any portion of these funds may be used to carry out the provisions of the Local Health Administration Law with respect to state grants to County Departments of Health and to cities eligible for such grants

For the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of six million four hundred forty-six thousand dollars (\$6,446,000)

#### To the Insurance Department

For the payment of the salary of the Insurance Commissioner and for the payment of salaries wages or other compensation of a deputy commissioner and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies and for the payment of the liquidation and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash assets are insufficient hundred forty-five thousand dollars (\$1,446,000)

And in addition all sums received from the assets of companies in liquidation by way of reimbursement for expenditures previously made from this appropriation shall be paid into the General Fund and credited to the appropriation made by this paragraph

#### To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs and for the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of one million three hundred thirty-two thousand dollars (\$1,332,000)

#### To the Department of Justice

For the payment of the salary of the Attorney General and for the payment of salaries wages or other compensation of deputy attorneys general special deputy attorneys general assistant deputy attorneys general spe-

cial attorneys law clerks and other employees for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform State Laws for the audit and investigation of claims and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of one million four hundred seventy-two thousand dollars (\$1,472,000)

#### To the Department of Labor and Industry

For the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of four million five hundred seventy-five thousand dollars (\$4,575,000)

For use by the State Board of Vocational Rehabilitation in purchasing artificial appliances for and payment of the maintenance cost of physically handicapped persons in training including the deaf and hard of hearing and in paying all other expenses necessary in carrying out the provisions of the Rehabilitation Act the sum of one million eight hundred thousand dollars (\$1,800,000)

#### To the Department of Military Affairs

For the payment of the salary of the Adjutant General and for the payment of salaries wages or other compensation of the deputies adjutant general the Division Commander and other employees for the payment of general expenses supplies printing and equipment necessary Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal for the payment of expenses incurred in maintaining monuments in Europe erected at the expense of the Commonwealth and for the acquisition by purchase or condemnation of additional lands to be used for or in connected with the Military Reservation at Indiantown Gap for the purpose of placing at the disposal of the Governor and making the same available for replacement or repairs of such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers



from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the equipment and maintenance of the Pennsylvania Guard in the event of the Pennsylvania National Guard being called into active service of the United States for the payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard or the Pennsylvania Guard as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintaining and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscription to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard in either State or Federal service and the Pennsylvania Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard or the Pennsylvania Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of four million six hundred eighty-nine thousand dollars (\$4,689,000)

Provided however That there is hereby appropriated for the same purposes the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania Guard in furnishing relief from disaster and all receipts from the Federal Government or other public or private sources for or in connection with services performed by employees of the Department of Military Affairs or for or in connection with the use of property under the control of said department which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the State of Pennsylvania be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania Guard

For the payment of salaries wages or other compensation of the superintendent and other employees for the payment of general expenses supplies printing and equipment for improvements to land for repairs alterations and improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of four hundred twenty-five thousand dollars (\$425,000) and in addition to said amount all moneys collected by the institution or by the Commonwealth from the Federal Government in payment of support or training of members of Federal military establishments at the institution shall be paid into the General Fund and shall be credited to the appropriation made by this paragraph

For the payment of any and all expenses incident to furnishing men material supplies and equipment when

a disaster occurs the sum of five hundred thousand dollars (\$500,000)

#### To the Department of Mines

For the payment of the salary of the Secretary of Mines and for the payment of salaries wages or other compensation of a deputy secretary the mine inspectors and other employees and for the payment of general expenses including examination costs supplies printing and equipment necessary for the proper conduct of the work of the department and the mine inspectors the sum of one million two hundred twenty-six thousand dollars (\$1,226,000)

For the payment of all expenses of the department in administering and enforcing the "Bituminous Coal Open Pit Mining Conservation Act" of the 1945 Session of the General Assembly the sum of one hundred thousand dollars (\$100,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the administration of the Act of May 29 1945 (P. L. 1132) relating to the health and safety of miners the sum of ninety-seven thousand dollars (\$97,000)

#### To the Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposal when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of four million seven hundred ninety-three thousand dollars (\$4,793,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employees necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or offices or other quarters used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Games Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board

For the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans of the World War American Veterans of the World War II (AMVETS) Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Incorporated and the Marine Corps League as provided by law the sum of eighty-six thousand dollars (\$86,000)

For the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of eighty-eight thousand dollars (\$88,000)

For the purchase of fuel water gas steam and electric current and necessary devices for its reception and use for alterations materials supplies repairs equipment renovations and improvements to for or on the State Capitol buildings the public grounds and buildings connected with the State Arsenal the Cameron Street Office Building the State Warehouse and any buildings lands or structures within the City of Harrisburg donated or de-



vised to the Commonwealth but not including the Liquor Control Board Office Building in Harrisburg for the salaries of employes and other expenses of maintaining the Cameron Street Office Building State Warehouse the Brookwood Terminal Building and for the payment of rents fuel water gas steam electric current and any necessary alterations for any building offices or storage space in the City of Harrisburg required for the accommodation of departments supported from the General Fund the sum of two million six hundred thirty-nine thousand dollars (\$2,639,000) Provided That occupancy of the Cameron Street Office Building or the State Warehouse by agencies or functions of Government supported by other than appropriations from the General Fund shall be charged for at rates approved by the Executive Board And that space in the State Warehouse not in use by the Commonwealth may be rented to the Public at such rates as the Department of Property and Supplies may determine All funds collected by the Department under this proviso shall be paid into the State Treasury and credited to the appropriation made by this paragraph and shall be appropriated for the same purposes

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State Government except those required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Pennsylvania State Police the Board of Fish Commissioners the Pennsylvania Game Commission the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Commission and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Department of Highways and stored at the garage maintained by the Department of Property and Supplies in the City of Harrisburg and for the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or other officer of the State Government the sum of eight hundred seventy-five thousand dollars (\$875,000)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the cost of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of one million two hundred thousand dollars (\$1,200,000)

For payment of the expenses necessary to rehabilitate the water lines piping and sewer connections in Capitol Park Extension related to the widening of Forster Street the sum of one hundred thousand dollars (\$100,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Department in the inspection of construction projects of the General State Authority the sum of four hundred thousand dollars (\$400,000)

#### To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance and for the payment of the salaries wages or other compensation of a deputy secretary and other

employes for payment to the State Civil Service Commission for services rendered for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of one million four hundred fourteen thousand five hundred dollars (\$1,414,500)

#### To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of one million four hundred six thousand five hundred dollars (\$1,406,500)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library the sum of three hundred ninety thousand five hundred dollars (\$390,500)

For the payment of salaries wages or other compensation of a deputy member and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to pre-professional professional education and licensure and the professional examining boards and advisory committees within the department the sum of nine hundred eighty-one thousand dollars (\$981,000)

Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of two hundred two thousand six hundred dollars (\$202,600)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Pennsylvania Federation of Junior Historians in the secondary schools of the Commonwealth the sum of seventeen thousand two hundred dollars (\$17,200)

For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the Department of Public Instruction with respect to the conduct of examinations for the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of seventy-nine thousand dollars (\$79,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of twenty-six thousand two hundred dollars (\$26,200)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the acquisition of Federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred fifty-seven thousand three hundred dollars (\$157,300)

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering cost of acquisition and handling shall be paid into the General Fund and credited to this appropriation and available for the purposes for which this appropriation has been made

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of



the department and the State Board for Vocational Education in licensing and regulating private schools private trade schools business schools and correspondence schools and classes the sum of two hundred twelve thousand dollars (\$212,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of forty thousand dollars (\$40,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing farm and home safety education through the schools and farm and home organizations in the Commonwealth the sum of twenty-six thousand three hundred dollars (\$26,300)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in accrediting facilities for the training veterans the sum of one hundred fifty-seven thousand five hundred dollars (\$157,500)

Provided That \$80,000 of the appropriation made by this paragraph shall be used by the department as working capital only and shall lapse at the end of the biennium in the full amount In addition all moneys collected from the Federal Government shall be credited to the appropriation made by this paragraph

For the payment of salaries wages printing supplies and general expenses necessary to carry out the provisions of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" the sum of twenty thousand dollars (\$20,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Public School Employees Retirement Board the sum of four hundred sixty-two thousand dollars (\$462,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employees for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of eleven million six hundred thousand dollars (\$11,600,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for the same purpose each college and school to receive from such appropriation the exact amount which was collected at said school or college during the said fiscal years

For the payment of salaries wages or other compensation of superintendents and other employees for the payment of general expenses supplies printing and equipment or repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania .....	(\$316,500)
Scotland School for Veterans' Children at Scotland Pennsylvania .....	(\$881,000)
Thaddeus Stevens Trade School at Lancaster Pennsylvania .....	(\$618,000)

and in addition to said amount all income and all moneys collected at the Thaddeus Stevens Trade School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph

For the payment of salaries of the County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two million two hundred thirty-nine thousand dollars (\$2,239,000)

For the payment of expenses of County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two hundred seventy-four thousand four hundred dollars (\$274,400)

For the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of fifty-two thousand eight hundred dollars (\$52,800)

For reimbursement to school districts for transportation of school children as required by law the sum of twenty million five hundred thousand dollars (\$20,500,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses supplies printing and equipment of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of two million eight hundred sixty-five thousand dollars (\$2,865,000) and be it provided that as much of this appropriation as can be made available may be expended with the Governor's approval in paying the cost of vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in carrying out the School Lunch Program the sum of one hundred forty-nine thousand dollars (\$149,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of four hundred fifty thousand dollars (\$450,000)

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as



required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of two hundred eighty-six million seven hundred thousand dollars (\$286,700,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf or cerebral palsied under the supervision of or approved by the department in accordance with law and for readers helpers guides aids and appliances for such children in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction the sum of three million two hundred seventy-five thousand dollars (\$3,275,000)

For the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the Public Service Institute including the Firemen's Training School at Lewistown the sum of one hundred twenty-four thousand dollars (\$124,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary to make a survey of public school plant facilities in the Commonwealth the sum of sixty thousand dollars (\$60,000) in addition all moneys received from the Federal Government under Public Law 815 of the 81st Congress for this purpose shall be credited to the appropriation made by this paragraph

For the payment into the School Employees' Retirement Fund to the credit of the Contingent Reserve Account of the School Employees' Retirement Fund as required by law the sum of eighteen million four hundred three thousand eight hundred forty-six dollars (\$18,403,846)

For the payment into the School Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employees' Retirement Fund as required by law the sum of fifteen million seven hundred thirty-one thousand one hundred forty-one dollars (\$15,731,141)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of three hundred ten thousand dollars (\$310,000)

For the payment of increased retirement allowances to employes on retirement as of September 1 1949 the sum of three million dollars (\$3,000,000)

#### To the Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission and for the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of three

million six hundred forty-nine thousand dollars (\$3,649,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railways corporations cross public highways other than those State highways designed as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of thirty-five thousand dollars (\$35,000)

#### To the Department of Revenue

For the payment of the salary of the Secretary of Revenue and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of the compensation of informants in escheats and the fees and expenses of escheators for the payment of costs in suits for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of five million eight hundred thirty-four thousand dollars (\$5,834,000)

Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

For the payment of the compensation of informants in escheats and the fees and expenses of escheators the sum of three hundred sixty-five thousand dollars (\$365,000)

For the payment of salaries of the members of the State Athletic Commission for the payment of salaries wages or other compensation of a secretary and deputies and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as approved by the Secretary of Revenue the sum of one hundred sixty-five thousand dollars (\$165,000)

For the payment of salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statisticians clerks stenographers and other assistants and employes and for costs witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garrett Deceased the sum of twenty-four thousand dollars (\$24,000)

#### To the Department of State

For the payment of the salary of the Secretary of the Commonwealth and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of five hundred seventy-six thousand dollars (\$576,000)

For the payment of salaries wages and compensation of employes for the payment of general expenses supplies printing equipment and other expenses for the proper conduct of the work of the department necessary for and incidental to taking the vote of qualified electors of the Commonwealth who are entitled to vote by "Official Military Ballot" and for reimbursement by the Commonwealth of cities of the first class and counties for expenses incurred by cities of the first class and counties in connection therewith the sum of three hundred eighty-three thousand dollars (\$383,000)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonwealth



of Pennsylvania the sum of fifty thousand dollars (\$50,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the State Employees' Retirement Board the sum of two hundred fifty-five thousand five hundred dollars (\$255,500) and in addition to the said amount any moneys collected from a public corporation or similar agency in payment of the proportionate share of administering the State Employees' Retirement Fund on behalf of the employes of such public corporation or similar agency whose employes are entitled by law to be members of the State Employees' Retirement System shall be paid into the General Fund and credited to his appropriation

For the payment of the cost and expenses incident to the work of setting up the Municipal Employees' Retirement System the sum of twenty thousand dollars (\$20,000)

For the payment into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million six hundred nineteen thousand one hundred sixty dollars (\$1,619,160)

For the payment into the State Employees' Retirement Fund to the credit of the Contingent Reserve Account the sum of three million four hundred fifty-nine thousand forty-seven dollars (\$3,459,047)

For the payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania State Police Retirement System the sum of fifty thousand dollars (\$50,000)

For the payment into the State Employees' Retirement Fund to the credit of the Members' Annuity Reserve account and other accounts the sum of one million six hundred twenty-two thousand eight hundred dollars (\$1,622,800)

For the payment of State employes who have retired in accordance with the provisions of the act of Assembly approved June fourteenth one thousand nine hundred fifteen (P. L. 973) as amended and for the payment of pensions and gratuities granted by law the sum of four thousand eight hundred forty dollars (\$4,840)

#### To the Pennsylvania State Police

For the payment of the salaries wages or other compensation and necessary traveling expenses of the Commissioner and deputy commissioner of the Pennsylvania State Police the members of the State Police force and the other employes of the Pennsylvania State Police for the purchase of motor equipment for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for the payment of the board lodging subsistence allowances uniforms arms and equipment of the Pennsylvania State Police force and for the payment of the proper medical surgical and hospital expenses incurred as a direct result of illness contracted or injuries received by members of the Pennsylvania State Police in the course of employment and not covered by insurance for the payment of premiums on policies insuring the Commonwealth against workmen's compensation liability to all employes or dependents of employes of the Pennsylvania State Police for the payment of premiums on policies of insurance covering motor vehicles operated by the Pennsylvania State Police and surety bonds for employes of the Pennsylvania State Police required to furnish such bonds for the payment with the Attorney General's approval of damages sustained by persons whose property has been damaged or destroyed by members of the Pennsylvania State Police in the discharge of their duties for the operation and maintenance of the Pennsylvania State Police Training School including any branches thereof for the maintenance and repair of barracks owned by the Pennsylvania State Police and equipment therein for the payment of traveling expenses and witness fees in the amount of three dollars (\$3) per capita per diem to wit-

nesses testifying for the Commonwealth at hearings in connection with the work of the Pennsylvania State Police and for the payment of fees charged by physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examinations not to be intoxicated except that no sum in excess of five dollars (\$5) shall be paid to any physician for any such examination for the maintenance and operating of a radio broadcasting station or stations and for the purpose of installing operating and maintaining a teletype or other intercommunication system linking the central office of the Pennsylvania State Police and the offices of the various organized police forces of the political subdivisions of the Commonwealth maintaining night offices and linking such central office with other states using similar systems which cooperate with Pennsylvania in broadcasting police information the sum of six million three hundred and thirty thousand dollars (\$6,303,000) and any additional sums from time to time transferred from the Motor License Fund and credited to this appropriation in the manner provided by law

#### To the Department of Welfare

For the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of one million one hundred twenty-two thousand dollars (\$1,122,000)

For the payment of salaries wages or other compensation of employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind for improvement of the condition of the blind by supplying where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial and for medical treatment surgical operations eye glasses and other necessary aids or services including transportation for needy blind persons or persons with impaired vision and for meeting any additional expenses necessary the sum of four hundred thirty-five thousand dollars (\$435,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind in supplying to the adult blind vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers in providing for their employment and placement in industry business and the professions in obtaining the required medical service for such training and placement and in meeting expenses necessary and proper in the administration of this program the sum of two hundred twenty-five thousand dollars (\$225,000) and in addition to this amount moneys received from the United States Government or from any other source as contributions for this program shall be paid into the General Fund and credited to this appropriation

For the payment of salaries wages or other compensation of the superintendents or wardens and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses for the payment to fire companies of costs of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Institution for Defective De-



linquents at Huntingdon the Pennsylvania Training School at Morgantown the State Industrial Home for Women at Muncy the Pennsylvania Industrial School at White Hill the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of sixteen million one hundred sixty-three thousand dollars (\$16,163,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land or the purchase of equipment furniture furnishings and live stock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville the Western State Psychiatric Institute and Clinic at Pittsburgh the Eastern State Psychiatric Institute at Philadelphia the Embreeville State Hospital at Embreeville the Hollidaysburg State Hospital at Hollidaysburg the Mayview State Hospital at Mayview the Somerset State Hospital at Somerset the Woodville State Hospital at Woodville the Clerks Summit State Hospital at Clerks Summit the Retreat State Hospital at Retreat the Dixmont State Hospital at Dixmont and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their states of residence persons committed to State mental institutions who may hold residence in other states for the purchase of publicly or private operated nonsectarian hospitals at cost not exceeding five dollars and fifty cents (\$5.50) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to one thousand five hundred dollars (\$1500) per bed provided for the payment of the necessary expenses of boarding out mental patients in accordance with Act 257 approved July 12 1935 (P. L. 679) and for the establishment and maintenance of psychiatric clinics under the regulations of the department the sum of sixty-nine million eight hundred forty thousand dollars (\$69,840,000) and in addition to this amount the following shall be paid into the General Fund and credited to the proper allocation within this appropriation (1) all moneys received from the United States Government or from any other source as contributions toward the establishment and maintenance of psychiatric clinics and (2) all moneys received from political subdivisions in payment for services and facilities required to be furnished by the State Owned Mental Hospitals to institutions operated by such political subdivisions

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment or improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the maintenance of patients in private institutions at such rates as are established by the Department of Welfare and for all other expenses of maintenance and

operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of thirteen million five hundred forty-five thousand dollars (\$13,545,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of ten million forty-five thousand dollars (\$10,045,000)

#### To the Milk Control Commission

For the payment into the Milk Control Fund in the State Treasury for the purposes for which such fund is appropriated by law the sum of five hundred four thousand seven hundred fifty dollars (\$504,750)

#### To the State Civil Service Commission

For the payment of salaries wages or other compensation of the commissioners a personnel director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of one hundred thousand dollars (\$100,000) and in addition any money collected by the Commission by way of reimbursement under the provisions of the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation Provided That the specific appropriation of \$100,000 made by this paragraph shall be used by the Commission as working capital only and shall lapse at the end of the biennium in the full amount

#### To the Pennsylvania Board of Parole

For the payment of salaries of members of the Board and salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the board the sum of one million five hundred ninety-five thousand dollars (\$1,595,000)

#### To the State Tax Equalization Board

For the payment of salaries of members of the board and salaries wages or other compensation of employes for payments to county commissioners under the provisions of section nine of act 447 approved June 27 1947 (P. L. 1046) and for the payment of the costs of supplies equipment and all other expenses necessary for the proper conduct of the work of the board the sum of four hundred fifty thousand dollars (\$450,000)

#### To the Commission on Interstate Cooperation

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences when designated by the Governor the President pro tempore of the Senate or the Speaker of the House of Representatives and for the payment of the general expenses necessary for the proper conduct



of the work of the Commission on Interstate Cooperation the sum of twenty-five thousand dollars (\$25,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

To the Interstate Commission on the  
Delaware River Basin

For the payment of wages and other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission on Interstate Cooperation the sum of fifty thousand dollars (\$50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

Atlantic States Marine Fisheries Commission

For the support of the Atlantic States Marine Fisheries Commission created by the act of June 1 1943 (P. L. 798) the sum of one thousand two hundred dollars (\$1200) Requisitions shall be prepared and signed by the Commissioner of Fisheries

Ohio River Valley Water Sanitation Commission

For the support of the Ohio River Valley Water Sanitation Commission created by the act of April 2 1945 (P. L. 103) the sum of thirty-one thousand seven hundred dollars (\$31,700) Requisitions shall be prepared and signed by the Secretary of Health

Interstate Oil Compact Commission

For the support of the Interstate Oil Compact Commission created by the act of July 23 1941 (P. L. 435) and for the payment of expenses of the Governor or his delegate in representing Pennsylvania the sum of five thousand dollars (\$5000) Requisitions shall be signed by the Governor

Interstate Commission on the Potomac River Basin

For the support of the Interstate Commission on the Potomac River Basin created by the act of May 29 1945 (P. L. 1134) the sum of four thousand eight hundred dollars (\$4800) Requisitions shall be prepared and signed by the Secretary of Commerce

To the Council of State Governments

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau established by it to co-ordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matters the sum of sixty thousand dollars (\$60,000)

One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Executive Director of the Council of State Governments who shall file an accounting of said expenses with the Auditor General

Pennsylvania Historical and Museum Commission

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Pennsylvania Historical and Museum Commission including historical research preparation erection and maintenance of historical markers maintenance and development of historical monuments and sites the sum of seven hundred six thousand five hundred dollars (\$706,500)

II Legislative Department

For the payment of the expenses of the Legislative Department for two years beginning June first one thousand nine hundred fifty-one and also for the expenses

of the Session and recess of one thousand nine hundred fifty-one not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the Members of the Senate and House of Representatives of the Legislative Session of one thousand nine hundred fifty-three shall be paid by requisition of the Chief Clerk of the Senate or the Chief Clerk of the House of Representatives upon the Auditor General only after statement of the amounts due the several Senators and Members shall have been certified to the respective Chief Clerks by the President pro tempore of the Senate or Speaker of the House of Representatives and that the Senators and Members receiving fixed salaries for said Session shall be paid one-fifth of his total salary each month for the first four months of the Session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto

All compensation payable to officers and employes under the provisions of this act shall be payable semi-monthly on the fifteenth day and the last day of each month on requisition of the Chief Clerk of the Senate or of the House of Representatives as the case may be pursuant to certification of the officer under whose direction and control the officer or employe shall be

To the Senate

For the payment of the salaries of fifty Senators and extra compensation allowed by law to the President pro tempore of the Senate Session of one thousand nine hundred fifty-three the sum of two hundred fifteen thousand dollars (\$215,000)

For the payment of the expenses of Senators and extra compensation and expenses of chairmen of committees as provided by law the sum of one hundred eighty thousand dollars (\$180,000)

For the payment of the mileage of fifty Senators Session of one thousand nine hundred fifty-three the sum of eighteen thousand dollars (\$18,000)

For the payment of postage Session of one thousand nine hundred fifty-three for the Chief Clerk and assistants the sum of one hundred fifty dollars (\$150)

For the payment of postage Session of one thousand nine hundred fifty-three for the Lieutenant Governor the sum of one hundred fifty dollars (\$150)

To the Chief Clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars Session of one thousand nine hundred fifty-three the sum of four thousand five hundred dollars (\$4500)

For the payment of the salaries of the officers and employes of the Senate Session of one thousand nine hundred fifty-three also for the payment of the Session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and Session salaries of the officers and employes of the Senate whose present salaries are provided for in this section the sum of one hundred ninety-five thousand dollars (\$195,000) for the two years beginning June first one thousand nine hundred fifty-one

For the payment of the mileage of the officers and employes of the Senate Session of one thousand nine hundred fifty-three the sum of two thousand seven hundred dollars (\$2700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the Session of one thousand nine hundred fifty-three the sum of eight thousand dollars (\$8000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the Session of one thousand nine hundred fifty-three the sum of two thousand dollars (\$2000)

For the payment of the salary of the two Clerks to the President of the Senate for two years beginning June



first one thousand nine hundred fifty-one the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of eighteen thousand dollars (\$18,000)

For the payment of the salary of the Chief Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Secretary to the President pro tempore of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Librarian of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of thirteen thousand dollars (\$13,000)

For the payment of the salary of the Assistant to the Secretary of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand five hundred dollars (\$4,500)

For the payment of the salary of the secretary to the President of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Library Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Majority Floor Leader of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Minority Floor Leader of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Senate Librarian for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salaries of two Watchman of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of nine thousand six hundred dollars (\$9,600)

For the payment of the salary of the Superintendent of the Storeroom of the Senate for two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Chief Custodian of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Custodian of the Basement of the Senate for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salaries of Custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of thirteen thousand eight hundred dollars (\$13,800)

For the payment of the salary of the Messenger in the Senate Library for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of a Janitor for the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of three thousand nine hundred sixty dollars (\$3,960)

For the payment of the salary of one Senate Indexing Clerk for the two years beginning June first one thou-

sand nine hundred fifty-one the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salary of one Chief Compiling Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of eight thousand four hundred dollars (\$8,400)

For the payment of the salary of one Messenger to the Secretary of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of one Stenographer to the Chief Clerk of the Senate for the two years beginning June first one thousand nine hundred fifty-one the sum of five thousand six hundred dollars (\$5,600)

For the payment of the salary of one Chief Sergeant at Arms for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of one Chief Mailing Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of one Clerk to the President Pro Tempore for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate Session of one thousand nine hundred fifty-one the sum of two thousand five hundred dollars (\$2,500)

For the payment of the expenses of the Committee on Appropriations of the Senate during the biennium June first one thousand nine hundred fifty-one and ending May thirty-first one thousand nine hundred fifty-three in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during Legislative Sessions and during the interim between Legislative Sessions the sum of thirty-five thousand dollars (\$35,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same Of the sum herein appropriated not more than twenty-five thousand dollars (\$25,000) shall be expended prior to the beginning of the regular session of the General Assembly of one thousand nine hundred fifty-three If the term of office of the Chairman of the Committee on Appropriation shall terminate prior to the regular session of 1953 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of expenses incident to issuing certificate of election of Senators for the Session of one thousand nine hundred fifty-three the sum of seventy-five dollars (\$75) (Act of June fourteenth one thousand nine hundred eleven Pamphlet Laws 926)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate during the recess ending the first Tuesday of January on thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000) or as much thereof as may be necessary and for like expenses for the Session of one thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000)

For the payment of the necessary expenses including extra labor in the office of the Chief Clerk for the year ending May thirty-first on thousand nine hundred fifty-two the sum of seven thousand dollars (\$7,000) and for six months ending November thirtieth one thousand nine



hundred fifty-two the sum of four thousand dollars (\$4,000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred fifty-two and the entire period of the Session of one thousand nine hundred fifty-three should the same extend beyond May thirty-first such sum as may be necessary to be expended by the Chief Clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but the Chief Clerk shall at no time have in his hands more than two thousand dollars (\$2,000) for which accounts have not been rendered and settled and the whole amount expended by said Chief Clerk shall not exceed the sum of thirteen thousand dollars (\$13,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and Chief Clerk

For the payment of the postage labor and incidental expenses in the office of the Secretary of the Senate for the year beginning June first one thousand nine hundred fifty-one the sum of five thousand dollars (\$5,000) and for the year beginning June first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000)

For the payment of postage labor express charges and all other expenses in the office of the Librarian of the Senate for the year beginning June first one thousand nine hundred fifty-one the sum of two thousand eight hundred dollars (\$2,800) and for the year beginning June first one thousand nine hundred fifty-two the sum of two thousand eight hundred dollars (\$2,800)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the Senate during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the contingent expenses including extra services of employees of the Senate and clerical stenographic traveling and discretionary charges of the Majority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of contingent expenses including extra services of employees of the Senate and clerical stenographic traveling and discretionary charges of the Minority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of seven hundred fifty dollars (\$750) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the Senate during the recess ending December first one thousand nine hundred fifty-two the sum of two thousand dollars (\$2,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

To the Secretary of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of senators officers of the Senate or State officials during the two years beginning June first one thousand nine hundred fifty-one the sum of one thousand dollars (\$1,000)

#### To the House of Representatives

For the payment of the salaries of two hundred and eight Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House of Representatives Session one thousand nine hundred fifty-three the sum of one million forty-one thousand dollars (\$1,041,000)

For the payment of expenses of Members of the House of Representatives and extra compensation and expenses

of chairmen of committees as provided by law the sum of seven hundred forty-eight thousand eight hundred dollars (\$748,800)

For the payment of the mileage of two hundred and eight Members of the House of Representatives Session of one thousand nine hundred fifty-three the sum of eighty-five thousand dollars (\$85,000)

For the payment of postage session of one thousand nine hundred fifty-three to the Chief Clerk and assistants the sum of one hundred fifty dollars (\$150)

To the Chief Clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars Session of one thousand nine hundred fifty-three the sum of twelve thousand five hundred dollars (\$12,500)

For the payment of salaries of the officers and employees of the House of Representatives Session of one thousand nine hundred fifty-three also for the payment of the Session and recess salaries of all officers and employees whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and Session salaries of all the officers and employees of the House of Representatives whose present salaries are provided for in this section the sum of two hundred thirty-seven thousand dollars (\$237,000) for the two years beginning June first one thousand nine hundred fifty-one

For the payment of the mileage of the officers and employees of the House of Representatives Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the Session of one thousand nine hundred fifty-three the sum of thirteen thousand dollars (\$13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the Session of one thousand nine hundred fifty-three the sum of three thousand dollars (\$3,000)

For the payment of the salary of the Chief Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of eighteen thousand dollars (\$18,000)

For the payment of the salary of the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Assistant to the Chief Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of ten thousand dollars (\$10,000)

For the payment of the salary of the Stenographer to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Secretary to the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Messenger to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of the Secretary to the Majority Floor Leader of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Secretary to the Minority Floor Leader of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Administrative Assistant to the Speaker for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)



For the payment of the salary of the Clerk to the Speaker for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Superintendent of Storerooms of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of nine thousand six hundred dollars (\$9,600)

For the payment of the salary of the Secretary to the Chief Clerk for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Chief Custodian of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of four thousand eight hundred dollars (\$4,800)

For the payment of the salaries of the four Custodians of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of seventeen thousand six hundred dollars (\$17,600)

For the payment of the salary of the Clerk to the Secretary for the two years beginning June first one thousand nine hundred fifty-one as provided by law the sum of six thousand dollars (\$6,000)

For the payment of the salary of the Secretary to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the Amendment Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of seven thousand two hundred dollars (\$7,200)

For the payment of the salary of the Supply Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of four thousand two hundred dollars (\$4,200)

For the payment of the salary of the Compiling Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of nine thousand dollars (\$9,000)

For the payment of the salary of the Finance Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of eight thousand dollars (\$8,000)

For the payment of the salary of the Library Clerk of the House of Representatives for the two years beginning June first one thousand nine hundred fifty-one the sum of six thousand four hundred dollars (\$6,400)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) or as much thereof as may be necessary and for like expenses for the Session of one thousand nine hundred fifty-three the sum of five thousand dollars (\$5,000)

For the payment of necessary expenses including extra labor in the office of the Chief Clerk and Library for the year beginning June first one thousand nine hundred fifty-one the sum of nineteen thousand dollars (\$19,000) and for the six months beginning June first one thousand nine hundred fifty-two the sum of nine thousand one hundred dollars (\$9,100)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred fifty-two and for the entire period of the Session of one thousand nine hun-

dred fifty-three should the same extend beyond May thirty-first to be expended by the Chief Clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts. The whole amount thus expended by the Chief Clerk shall not exceed the sum of twenty-six thousand dollars (\$26,000)

To the Chief Clerk of the House of Representatives for the payment of extra services in connection with the compilation of the history of legislation in the House of Representatives Session of one thousand nine hundred fifty-one the sum of two thousand five hundred dollars (\$2,500)

For the payment of the expenses of the Committee on Appropriations of the House of Representatives during the biennium beginning June first one thousand nine hundred fifty-one in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriation and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the House of Representatives during Legislative Sessions and during the interim between Legislative Sessions the sum of thirty-five thousand dollars (\$35,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same of the sum herein appropriated not more than twenty-five thousand dollars (\$25,000) shall be expended prior to the beginning of the regular Session of the General Assembly of nineteen hundred fifty-three The chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the Payment of the postage clerical stenographic and express charges and all other expenses in the office of the Secretary of the House of Representatives for the year beginning June first one thousand nine hundred fifty-one the sum of five thousand five hundred dollars (\$5,500) and for the year beginning June first one thousand nine hundred fifty-two the sum of five thousand five hundred dollars (\$5,500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of five thousand dollars (\$5,000) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the House of Representatives during the recess ending December first one thousand nine hundred fifty-two the sum of two thousand five hundred dollars (\$2,500) and for like expenses for the Session of one thousand nine hundred fifty-three the sum of four thousand dollars (\$4,000)

For the payment of contingent expenses including extra services of employees of the House of Representatives and clerical stenographic traveling and discretionary charges of the Majority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) and for like expenses for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of contingent expenses including extra services of employees of the House of Representatives and clerical stenographic traveling and discretionary charges of the Minority Whip during the recess ending December first one thousand nine hundred fifty-two the sum of seven hundred fifty dollars (\$750) and for like expenses



for the Legislative Session of one thousand nine hundred fifty-three the sum of one thousand dollars (\$1,000)

For the payment of the expenses incident to issuing certificates of election to Members of the House of Representatives for the Session of one thousand nine hundred and fifty-three (Act of June fourteenth one thousand nine hundred eleven Pamphlet Laws 926) the sum of seven hundred fifty dollars (\$750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the Chief Clerk of the House of Representatives for the payment of the expenses of the House of Representatives or committee of the House of Representatives in attending funerals or expenses incident thereto of Members of the House of Representatives officers of the House of Representatives or State officials during the two years beginning June first one thousand nine hundred fifty-one the sum of three thousand dollars (\$3,000)

#### Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

For the work of the Legislative Journal officials after the close of the Session of one thousand nine hundred fifty-one on the Legislative Journal also the proofreading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars (\$4,500)

#### Legislative Miscellaneous

For the payment of traveling and other expenses of the Members of the General Assembly of Pennsylvania appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives in attending the meetings of the American Legislators' Association and the Council of State Governments the sum of two thousand five hundred dollars (\$2,500) to be paid on warrants of the Auditor General in favor of the President pro tempore of the Senate or the Speaker of the House of Representatives on presentation of his requisition for the same The President pro tempore or the Speaker shall file an accounting of said expenses with the Auditor General

For the payment of premiums on surety bonds for chairman and officers of the Senate and House of Representatives to be paid by Chief Clerks of each House for the two years beginning June first one thousand nine hundred fifty-one the sum of eight hundred fifty-one the sum of eight hundred dollars (\$800)

#### The Electoral College

For the payment of the expenses of the Electoral College of one thousand nine hundred fifty-two the sum of one thousand dollars (\$1,000) to be paid on requisition of the Auditor General

#### To the Legislative Reference Bureau

For the payment of the salaries and other compensation of the director assistant director librarian attorney-at-law clerks secretaries stenographers typists messengers and other employes permanently employed for the two fiscal years beginning June first one thousand nine hundred fifty-one and for those temporarily employed until the end of the Session of the General Assembly of one thousand nine hundred fifty-three and for maintenance law books reference material incidental equipment and supplies traveling expenses and incidental expenses the sum of one hundred seventy thousand dollars (\$170,000)

#### III Judicial Department

For the payment of the salaries of the Judges of the Supreme Court and Superior Court the salaries and mileage of the president and Other Law Judges of the several Courts of Common Pleas in the Commonwealth and the Judges of the several Orphans' Courts and for the compensation of Common Pleas Judges holding court in other districts and for the payment of salaries and mileage of Associate Judges the following sums or as much thereof

as may be necessary for the two fiscal years beginning June first one thousand nine hundred fifty-one payments to be made monthly my warrant drawn by the Auditor General on the State Treasury

#### Supreme Court

For the payment of the salaries of the Supreme Court Judges the sum of three hundred forty-two thousand eight hundred thirty-five dollars (\$342,835)

For the payment of the salaries or compensation of the brifers investigators stenographers typists and clerks and to reimburse the Judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars (\$56,000)

For the payment of salaries wages and other compensation of a Deputy Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Eastern district and employes in the library of the Supreme Court at Philadelphia for the purchase of stationery supplies and the payment of the necessary expenses of the Supreme Court for the Eastern district thereof for the purchase of books and necessary expenses of the library of the Supreme Court at Philadelphia the sum of seventy-four thousand nine hundred fifty dollars (\$74,950)

For the payment of salaries wages and other compensation of a Deputy Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Western district thereof for the purchase of stationery supplies books for the library and other necessary expenses of the Supreme Court Western district the sum of forty-four thousand dollars (\$44,000)

For the payment of salaries wages or other compensation of the Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the Middle district and for the payment of expenses for the Supreme Court in the Middle district and the Superior Court at Harrisburg the sum of seventeen thousand one hundred dollars (\$17,100)

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and law secretary of the Chief Justice of the Eastern Middle and Western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of one hundred fifty thousand dollars (\$150,000)

Provided That the crier for the Middle district shall receive no other compensation from the State

For the payment of the fees of the Prothonotaries of the Supreme Court of the Eastern Middle and Western districts on assignment of Judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred nineteen the sum of five thousand five hundred dollars (\$5,500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of ten thousand dollars (\$10,000)

For the payment of the expenses of the Procedural Rules Committee appointed by the Supreme Court to assist it in the preparation revision promulgation publication and administration of general rules of practice for the courts of this Commonwealth the sum of twenty-five thousand dollars (\$25,000)

For the payment of the cost of painting a portrait of Chief Justice George W. Maxey the sum of seven hundred fifty dollars (\$750)

For the payment of the salaries and expenses of the State Board of Law Examiners the sum of sixty thousand dollars (\$60,000)

For the payment of the salaries and expenses of the office of the State Reporter the sum of fifty-four thousand six hundred forty dollars (\$54,640)

In the case of necessary expenses stationery supplies and books for the Eastern Western and Middle districts herein provided for the same shall be paid on warrant of the Auditor General upon presentation of specifically



itemized vouchers approved by the Prothonotary of the said Supreme Court for the particular district thereof

#### Superior Court

For the payment of the salaries of the Judges of the Superior Court the sum of three hundred fourteen thousand eight hundred thirty-five dollars (\$314,835)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typists of the Superior Court and to reimburse the Judges of the said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars (\$49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court and for premiums for workmen's compensation insurance covering all employees of the Superior Court the sum of one hundred two thousand six hundred dollars (\$102,600)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court or its officers the sum of fifteen thousand dollars (\$15,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the Prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

#### Common Pleas Court

For the payment of the salaries of the Judges of the Courts of Common Pleas learned in the law in the several Judicial districts of the Commonwealth the sum of four million one hundred seventy-two thousand nine hundred twenty-five dollars (\$4,172,925)

For the payment of the compensation carfare and expenses of Judges for holding court outside of their own Judicial districts in accordance with law the sum of seventy-five thousand dollars (\$75,000)

For the payment of mileage allowed Common Pleas Judges in Judicial districts containing more than one county as provided by law the sum of five thousand dollars (\$5,000)

For the payment of the Judges of the Courts of Common Pleas of Dauphin County to clerk hire in accordance with the law and for premiums for workmen's compensation insurance covering such clerks the sum of fifty thousand dollars (\$50,000)

#### Orphans' Court

For the payment of the salaries of the Orphans' Court Judges in the several Judicial districts in which separate Orphans' Courts have been established by law the sum of seven hundred ninety-three thousand dollars (\$793,000)

#### Municipal Court of Philadelphia

For the payment of the salaries of the Judges of the Municipal Court of Philadelphia in accordance with law the sum of three hundred fifty-five thousand six hundred seventy dollars (\$355,670)

#### County Court of Allegheny County

For the payment of the salaries of the Judges of the County Court for County of Allegheny the sum of one hundred sixty-two thousand dollars (\$162,000)

#### To the Juvenile Court of Allegheny County

For the payment of the salary of the Judges of the Juvenile Court of the County of Allegheny the sum of twenty-six thousand eight hundred thirty-five dollars (\$26,835)

#### Retired Judges

For the payment of the salaries of the Judges of the Supreme Superior Common Pleas and Orphans' Courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred nineteen (Pamphlet Laws 461) the sum of eighty-one thousand dollars (\$81,000)

#### Associate Judges

For the payment of the salaries of the Associate Judges the sum of ninety thousand dollars (\$90,000)

For the payment to Associate Judges of mileage for the two fiscal years beginning June first one thousand nine hundred fifty-one the sum of seven thousand dollars (\$7,000)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior Session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with sections 604 605 and 606 of The Administrative Code

Section 5 The term "employees" as used in this act shall include all directors superintendents bureau or division chiefs assistants directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board or commission

Section 6 The terms "general expenses" and "maintenance" shall include all printing binding and stationary food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Maxwell,	Rovansek,
Andrews,	Graybill,	Mazza,	Royer,
Banker,	Greenwood,	McConnell,	Rubin,
Barkdoll,	Greer,	McCormack,	Sarrafa,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Gutendorf,	McDermitt,	Scanlon,
Beaver,	Guthrie,	McGee,	Schmidt,
Beech,	Hagerty,	McInroy,	Schuster,
Berkstresser,	Hall,	McKinney,	Scott,
Blair,	Hamilton, R. K.,	McMillen,	Seyler,
Bloom,	Hamilton, W. H.,	McNally,	Shoemaker,
Boles,	Harney,	Metz,	Shotwell,
Bolton,	Haudenshield,	Mihm,	Smith,
Bomberger,	Headlee,	Mikula,	Snider,
Bower,	Helm,	Miller, H. G.,	Sollenberger,
Breisch,	Hersch,	Miller, J. C.,	Spencer,
Breth,	Hewitt,	Mills,	Stank,
Brown,	Hocker,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toil,
Corr,	Kamyk,	Najaka,	Tompkins,



Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBols,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 862

Mr. SOLLENBERGER. Mr. Speaker, I call up the report of the Committee on Conference on House Bill No. 862.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 862, entitled: "An act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police,"

Respectfully submit the following bill as our report:

PAUL L. WAGNER,  
A. H. LETZLER,  
WILLIAM J. LANE,  
(Committee on the part of the Senate.)  
D. RAYMOND SOLLENBERGER,  
W. H. McCULLOUGH,  
J. DEAN POLEN,  
(Committee on the part of the House of Representatives.)

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint and fix the salary of special school watchmen and defining the power and duties of such watchmen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one

thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 510 thereof a new section to read as follows

Section 510.1 Special School Watchmen School Districts in Townships of the Second Class The board of school directors of school districts in townships of the second class may be resolution appoint and fix the salary of special school watchmen who shall have the duty of patrolling school grounds and protecting school property

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarrafi,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelschi,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintees,	Stank,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Lafore,	Najaka,	Tompkins,
Costa,	Kamyk,	Naugle,	Toomey,
Coyle,	Keller,	Needham,	VanSant,
Dalrymple,	Kent,	Olsen,	Varallo,
Davis,	Kl'ne,	Penglase,	Varner,
Dennison,	Kohl,	Peta,	Verona,
Dougherty,	Kolankiewicz,	Petrosky,	Wachhaus,
Dowling,	Kornick,	Pettigrew,	Wargo,
DuBols,	Kratz,	Pfaff,	Waterhouse,
Duffy,	Kubacki,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.



# REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1641

Mr. MAZZA. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1641.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1641, entitled: "An act to add Section 599-A to Article V, subsection (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto,' by authorizing the appointment of special school police and defining their powers and duties,"

Respectfully submit the following bill as our report:

PAUL L. WAGNER,

A. H. LETZLER,

WILLIAM J. LANE

(Committee on the part of the Senat.)

JOHN MAZZA,

J. DEAN POLEN,

(Committee on the part of the House of Representatives.)

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police defining their powers and duties and providing for their compensation by the school district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V subsection (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after Section 599 thereof a new section to read as follows

Section 599-A Special School Police Upon request of the board of school directors of the school district of the township the board of township supervisors by resolution may appoint special school police who shall have the duty of controlling and directing traffic at or near schools and who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all the power of local police officers Such police shall serve at the pleasure of the board of township supervisors shall not come within the civil service provisions of this act There compensation shall be fixed and paid by the board of school directors

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,  
Andrews,  
Banker,  
Barkdoll,  
Baumunk,  
Bear,

Graybill,  
Greenwood,  
Greer,  
Guarnieri,  
Gutendorf,  
Guthrie,

Maxwell,  
Mazza,  
McConnell,  
McCormack,  
McCullough,  
McDermitt,

Rovansek,  
Royer,  
Rubin,  
Sarraf,  
Sax,  
Scanlon,

Beaver,  
Beech,  
Berkstresser,  
Blair,  
Bloom,  
Boles,  
Bolton,  
Bomberger,  
Bower,  
Breisch,  
Breth,  
Brown,  
Bucchin,  
Byrne,  
Cella,  
Clapper,  
Glendening,  
Cochran,  
Conway,  
Cooper,  
Corr,  
Costa,  
Coyle,  
Dalrymple,  
Davis,  
Dennison,  
Dougherty,  
Dowling,  
DuBois,  
Duffy,  
Dunn,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Hagerty,  
Hall,  
Hamilton, R. K.,  
Hamilton, W. H.,  
Harney,  
Haudenshield,  
Headlee,  
Heim,  
Hersch,  
Hewitt,  
Hocker,  
Hoggard,  
Hunter,  
Jenkins,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Jones, T. H. W.,  
Jump,  
Kamyk,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kolankiewicz,  
Kornick,  
Kratz,  
Kubacki,  
Lafore,  
Lederer,  
Leiser,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

McGee,  
McInroy,  
McKinney,  
McMillen,  
McNally,  
Metz,  
Mihm,  
Mikula,  
Miller, H. G.,  
Miller, J. C.,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Muldowney,  
Munley,  
Murray,  
Musto,  
Najaka,  
Naugle,  
Needham,  
Olsen,  
Penglass,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Relly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Shotwell,  
Smith,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Stimmel,  
Stoner,  
Swartz,  
Swope,  
Tahl,  
Taylor,  
Thompson, E. F.,  
Thompson, R. L.,  
Toll,  
Tompkins,  
Toomey,  
VanSant,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Welsh,  
Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 187

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 187 entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith.

And has appointed Messrs. Meade, Mahany and Bane a Committee of Conference to confer with a similar committee of the House of Representatives if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House

insist upon its amendments non-concurred in by the Senate to Senate Bill No. 187 and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 187

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Kent, Tompkins and Andrews.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1742.

An Act to amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" with respect to the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, Page 1, line by, by striking out after the word "seventy-nine" the words "by providing for a" and inserting in lieu thereof the words "with respect to the"

Amend Section 1, Page 2, line 7, by inserting after the word "repealed" the following: "provided however that section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) as amended shall remain in full force and effect"

Amend Section 2, page 3, line 14, by striking out after the word "liable" the following: "under the first and twenty-first sections of this act"

Amend Section 2, page 4, line 7, by striking out after the word "features" the following: "which may for any reason be required to report under this act in additions" and inserting in lieu thereof the words "in addition"

Amend Section 2, page 4, line 18, by inserting after the word "premiums" the words "premium deposits and assessments"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

##### YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarrafi,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boies,	Haudensfield,	Metz,	Shotwell,

Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolanklewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

##### NAYS—0

##### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

##### RECALLING SENATE BILL 502 FROM GOVERNOR

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, December 21, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 502, Printer's No. 536, entitled:

An Act to amend the title and sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class and exempting public utilities from the obligations imposed in said act"



be recalled from the Governor for the purpose of further study.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 21, 1951.

Resolved (if the Senate concur), that House Bill No. 1544, Printer's No. 1111, entitled:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such person requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties"

be recalled from the Governor for the purpose of amendment.

## SENATE MESSAGE

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1056

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1056.

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 241.

An Act to amend section six hundred forty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by increasing the age range of children pro-

hibited admittance to moving picture theatres during school hours

HOUSE BILL No. 545.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further providing for determination of the compensation to be paid

HOUSE BILL No. 587.

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceedings pertaining thereto and reestablishing the same as separate school districts

HOUSE BILL No. 609.

An Act to further amend Sections 10 and 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller

HOUSE BILL No. 759.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation protection and development of buildings and grounds at Ephrata Cloisters a famous historical shrine belonging to the Commonwealth

HOUSE BILL No. 1113.

An Act to further amend Section 17 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State

officers and departments providing for refunds imposing penalties and making an appropriation" by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith

#### HOUSE BILL No. 1308.

An Act to further amend sections two and seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by further defining the term "municipality" to include joint-county departments of health by defining the term "joint-county health commission" and by providing that joint-county departments of health may join the retirement system

#### HOUSE BILL No. 1381.

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board of Private Trade Schools and prescribing penalties" by further defining "agent" prohibiting agents from representing more than one school clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees

#### HOUSE BILL No. 1658.

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

#### HOUSE BILL No. 1704.

An Act to further amend sections 4 and 8 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to and the purchase thereof by cities boroughs and townships in which the property subject to such municipal claims or liens is located

#### HOUSE BILL No. 1710.

An Act to further amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by increasing the salary of members of the General Assembly and providing a salary and payment of expenses in the event of annual sessions

#### HOUSE BILL No. 1739.

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1718.

An Act to further amend Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by fixing a further limitation on rates of commission which may be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting after the word "To" the word "further"; line 8, by inserting after the word "death" the following: "defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such rights exists; page 2, line 8, by striking out after the word "repeal" ", the words "as amended by modifying the" and inserting in lieu thereof the words "by fixing a further limitation on."

Amend Section 1, page 2, by inserting after line 2, the following: "entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer



of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal"; line 14, by striking out after the word "as" the word "last"; page 4, line 4, by striking out after the word "year" the following: "(five) eight percentum upon the tax collected if such tax shall amount to a sum of (fifty) fifteen thousand dollars (\$15,000) or less five per centum on the amounts collected in excess of fifteen thousand dollars (\$15,000) and not exceeding fifty thousand dollars (\$50,000) three per centum on the amounts collected in excess of fifty thousand dollars (\$50,000) and not exceeding one hundred thousand dollars (\$100,000) one per centum on the amounts collected in excess of one hundred thousand dollars (\$100,000) and not in excess of two hundred thousand dollars (\$200,000) (and) one-half of one per centum on the amounts collected in excess of two hundred thousand dollars (\$200,000) and not over one million dollars (\$1,000,000) and one-quarter of one per centum on the amounts collected in excess of one million dollars (\$1,000,000) Provided That the total amount to be so retained by such registers of wills for their own use shall not exceed the sum of (ten) eleven thousand five hundred dollars (\$11,500) during any year Provided further that if any tax." page 5, by striking out after line 1 the following: "foregoing percentages shall be computed as though such increase had not occurred" and inserting in lieu thereof the following: "five per centum upon the tax collected if such tax shall amount to a sum of fifty thousand (\$50,000) dollars or less three per centum on the amounts collected in excess of fifty thousand (\$50,000) dollars and not exceeding one hundred thousand (\$100,000) dollars one per centum on the amounts collected in excess of one hundred thousand (\$100,000) dollars and not over two hundred thousand (\$200,000) dollars and one-half of one per centum on the amounts collected in excess of two hundred thousand (\$200,000) dollars and not over one million (\$1,000,000) dollars and one-quarter of one per centum on the amounts collected in excess of one million (\$1,000,000) dollars provided that the total amount to be so retained by such registers of wills for their own use shall not exceed the total sum of ten thousand dollars (\$10,000) during any year provided further that if any tax rate shall be increased over the rate in effect during the year 1950 the foregoing percentages shall be computed as though such increase had not occurred."

On the question,

Will the House agree to the amendments made by the Senate?

Mr. JOHNSON. I move that the House do not concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 187

Mr. KENT presented the report of the Committee of Conference on Senate Bill No. 187.

The SPEAKER. The report will lie over for printing under the Rules.

## SENATE MESSAGE

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 323

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL No. 323.

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

## SENATE MESSAGE

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1142

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL No. 1142.

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

## SENATE MESSAGE

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1224

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL No. 1224.

An Act making an appropriation to aid certain school districts

## SENATE MESSAGE

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1397

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL No. 1397.

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense

## SENATE MESSAGE

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1582

The Clerk of the Senate being introduced, informed

that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1582.

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster Pennsylvania and for repairs and improvements to buildings on such land

MR. SMITH IN THE CHAIR

### SENATE MESSAGE

#### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 219

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 219 entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State-Federal Social Security Board and conferring powers and imposing duties upon the Board authorizing the Board to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administration and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

And has appointed Messrs. Mahany, Wade and Neff a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 219 and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION SENATE BILL No. 219

The SPEAKER pro tempore. The Chair appoints as a Committee of Conference on said bill, Messrs. Wood, Helm and Andrews.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### RECALLING SENATE BILL No. 668 FROM GOVERNOR

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, December 21, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 668, Printer's No. 357, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House Concur the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1690

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1690, Printer's No. 1023.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

### COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

### THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 772

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 772, Printer's No. 560, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

### RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson, vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on the final passage of this bill?



Mr. HELM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mrs. MARKLEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title by striking out after the word "of" and before the word "one" the following: "May" and inserting in lieu thereof the following: "March."

Amend Section 1, page 2, line 1, by striking out after the word "of" and before the word "one" the following: "May" and inserting in lieu thereof the following: "March."

Amend Section 2, page 4, line 19, by striking out after the word "term" and before the word "the" the following: "[.]"

Amend Section 2, page 4, line 19, by striking out at the end of the line after the word "dollars" the following: "[.]"

Amend Section 2, page 5, line 1, by striking out at the beginning of the line before the parenthesis preceding the figure "\$20" the following: "[.]"

Amend Section 2, page 5, line 5, by striking out at the end of the line after the word "Instruction" the following: "[ ] an amount to be determined by multiplying the."

Amend Section 2, page 5, by striking out lines 6 to 14, inclusive.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1102

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1102, Printer's No. 1039, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the com-

munication from the Governor together with the bill be laid on the table.

The motion was agreed to.

## COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1544

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1544, Printer's No. 1111, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson, vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on the final passage of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HALL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 6, line 8, by inserting after the part word "Com-" the following "monwealth of fuels in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in excess of fifty (50) gallons and (b) the delivery or placing of fuels into the fuel supply tanks or other fueling."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## RECESS

The SPEAKER. If there is no objection, the Chair

will declare a recess until 11:00 p. m. The Chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILL No. 1644

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1644, Printer's No. 1055, entitled "An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties."

JOHN S. FINE.

### SENATE MESSAGE

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1421

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

#### HOUSE BILL No. 1421.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest in the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one.

### SENATE MESSAGE

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 162.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

#### SENATE BILL No. 344.

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others

#### SENATE BILL No. 399.

An Act to amend Section 11.1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and a member of the Public School Employees' Retirement Association.

#### SENATE BILL No. 400.

An Act to amend Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association

#### SENATE BILL No. 455.

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia.

#### SENATE BILL No. 548.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses

#### SENATE BILL No. 572.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

#### SENATE BILL No. 611.

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety, setting forth the powers and duties of the commission, and the director, defining the scope of existing safety agencies; and making an appropriation.



## SENATE BILL No. 652.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

## SENATE BILL No. 798.

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" by defining employes of county departments of health created under the local health administration law as state employes extending the time within which State mental hospital employes may become members and within which State employes may become "original members" and permitting additional persons to change from the one one-hundred sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change

## SENATE BILL No. 800.

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing an additional state annuity on retirement for superannuation and providing for minimum retirement allowances in certain cases and appropriations for payment of the costs thereof

## SENATE BILL No. 816.

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and amaintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission

including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

## SENATE BILL No. 825.

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems

## SENATE BILL No. 865.

An Act making an appropriation to the Department of Agriculture for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication

## SENATE BILL No. 885.

An Act to amend subsection (b) of Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture

## SENATE BILL No. 917.

An Act to further amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects The purchase of lands for rehabilitation purposes in connection with state institutions and increasing the borrowing capacity of the Authority.

## SENATE BILL No. 925.

An Act to farther amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising



consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 219

Mr. HELM presented the report of the Committee of Conference on Senate Bill No. 219.

The SPEAKER. This being a Senate bill, the report will lie over for printing by the Senate.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

##### HOUSE BILL No. 323.

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

##### HOUSE BILL No. 1056.

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions.

##### HOUSE BILL No. 1142.

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

##### HOUSE BILL No. 1224.

An Act making an appropriation to aid certain school districts.

##### HOUSE BILL No. 1397.

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

##### HOUSE BILL No. 1582.

An Act making an appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster and for repairs and improvements to buildings on such land.

##### HOUSE BILL No. 1742.

An Act to amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" with respect to the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth.

##### HOUSE BILL No. 1421.

An Act to provide for the ordinary expenses of the

Executive, Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

##### SENATE BILL No. 162.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

##### SENATE BILL No. 344.

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others.

##### SENATE BILL No. 350.

An Act to further amend clause two of section 1709 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable places for the maintenance thereof.

##### SENATE BILL No. 399.

An Act to amend Section 11.1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and a member of the Public School Employees' Retirement Association.

##### SENATE BILL No. 400.

An Act to amend Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association

##### SENATE BILL No. 431.

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and



defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for the purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse money received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

#### SENATE BILL No. 455.

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

#### SENATE BILL No. 548.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one and limiting the amount thereof available for administrative expenses

#### SENATE BILL No. 572.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

#### SENATE BILL No. 611.

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation

#### SENATE BILL No. 652.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

#### SENATE BILL No. 798.

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and con-

tributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by defining employees of county departments of health created under the local health administration law as state employees extending the time within which State mental hospital employees may become members and within which State employees may become "original members" and permitting additional persons to change from the one one-hundred sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change

#### SENATE BILL No. 800.

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing an additional State annuity on retirement for superannuation and providing for minimum retirement allowances in certain cases and appropriations for payment of the costs thereof

#### SENATE BILL No. 816.

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers

#### SENATE BILL No. 824.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and



contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1-160) to the one-onehundred fortieth (1-140) class and to receive the benefits thereof

SENATE BILL No. 825.

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems

## SENATE BILL No. 865.

An Act making an appropriation to the Department of agriculture for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication

## SENATE BILL No. 868.

An Act to amend section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental department to proceed by injunction or other process in administrative board commission or officer of either department the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" by clarifying the provisions thereof include periods when licenses are revoked and periods after violation of laws rules and regulations governing private institutions

## SENATE BILL No. 871.

An Act to apportion the Commonwealth of Pennsylvania  
into congressional Districts

## SENATE BILL No. 885.

An Act to amend subsection (b) of section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture

## SENATE BILL No. 886.

An Act validating county treasurer's deeds where the acknowledgment of such deed or deeds was defective in any respect or sale thereof not legally returned if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments and return duly made at a subsequent term

## SENATE BILL No. 887.

An Act to amend Section 1 of the act approved the fourteenth day of May one thousand eight hundred seventy-four (P. L. 159) entitled "An act relating to compulsory arbitrations" by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases

## SENATE BILL No. 903.

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's

share of expenses and changes in connection with capital improvements to the Pennsylvania Training School at Morganza

## SENATE BILL No. 905.

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and changes in connection with capital improvements to the Somerset State Hospital

## SENATE BILL No. 908.

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and changes in connection with capital improvements to the Norristown State Hospital

## SENATE BILL No. 909.

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents

## SENATE BILL No. 917.

An Act to further amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing flood control projects the purchase of lands for rehabilitation purposes in connection with state institutions and increasing the borrowing capacity of the Authority

## SENATE BILL No. 925.

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same and providing for issuance by county treasurers only

## SENATE BILL No. 939:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act Concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating



ing the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### COMMITTEE RECORDS

The SPEAKER. In accordance with the provisions of House Rule 31, the Chairmen of the Standing Committees of the House are required to file with the Chief Clerk, all committee records. The Chairmen are directed at their earliest convenience to comply with the provisions of this rule.

### EXTENSION OF REMARKS

Mr. MORAN. Mr. Speaker, I would like to present to be extended on the record the remarks of Dr. Sarraf.

The SPEAKER. Without objection, they will be extended on the record.

Extension of remarks of George J. Sarraf, with approval of Paul F. Jones, Theodore H. Schmidt, J. P. Moran and B. Frank Hunter

During the House Debate on House Bill 1644, some uncomplimentary remarks were made about Supreme Court Justice-Elect Michael A. Musmanno who fathered the bill. The remarks were not replied to at the time because it was properly believed that personalities should have no place in the debate in order that thorough, honest consideration could be given to the merits or demerits of the bill itself. The bill eventually passed the House of Representatives by a vote of 145 to 8, it then passed the Senate with amendments by a vote of 46 to 0, and it repassed the House, concurring with the Senate Amendments by a vote of 206 to 0.

Now that the bill has passed both Houses and was this evening signed by the Governor, these remarks are being spread upon the record so that the world will know of the high esteem in which Judge Musmanno is held by all those who truly know him as a patriot, soldier, jurist, author and legislator. Judge Musmanno served in the House of Representatives in the 1929 and 1931 sessions with distinction and credit not only to his own constituency but to the entire State of Pennsylvania. He was elected to the County Court of Allegheny, to the Court of Common Pleas and just recently to the Supreme Court of Pennsylvania. He has thus already served as a judge for twenty years.

In World War I, although below the draft age, he volunteered for the United States Army; and in World War II, although beyond the draft age, he volunteered for the United States Navy. During World War II, he was twice wounded in action, and received the Decorations of Purple Heart, Bronze Star for Valor and Legion of Merit.

He was then appointed by the President of the United States to the International War Crimes Tribunal in Nuremberg where he helped to write the international law which today governs war crime responsibility. He also served as Military Governor in war devastated areas.

Following the war, Judge Musmanno wrote the book *TEN DAYS TO DIE*, which is the authoritative account on the death of Adolf Hitler. He is the author also of six other books, one of which was made into the movie *BLACK FURY*. One of his works, on the

Constitution of the United States, was adopted by Congress as a national document and circulated in libraries and colleges throughout the land.

Twenty-five years ago Judge Musmanno recognized the menace and threat of Communism to our institutions of freedom. At American Legion conventions, on the platform and in lecture halls he called upon national and state legislatures to outlaw the Communist Party which he saw not as a political party but as a criminal conspiracy against the United States. During the intervening one-quarter of a century Judge Musmanno has never abated his drive against Communism and Communists. This summer he came to Harrisburg and enlisted support from both parties in behalf of the bill which he wrote and which later became House Bill 1644. It was sponsored in the House by Representatives Tompkins, Ziegler and Mazza of the Republican Party and Representatives Sarraf, Paul Jones and Schmidt of the Democratic Party. He made numerous trips to Harrisburg in connection with this bill, conferring with House and Senate leaders and with the Governor and Attorney General of the Commonwealth. The bill has now become law and the Commonwealth of Pennsylvania will be a better state to live in, because of this legislation.

We know that Judge Musmanno enjoys the respect of members on both sides of the House, and we make these remarks in recognition of his proved qualities as a celebrated author, a profound patriot, an able jurist, an experienced legislator and a great American.

### RESOLUTION INTRODUCED AND REFERRED

By Mr. MORAN

RESOLUTION No. 88.

In the House of Representatives, December 21, 1951.

The comic book available on the newstand and at the magazine counter, designed primarily for juvenile consumption and purchased largely by its intended market, is a comparatively recent venture in the publishing world.

While many comic books provide wholesome reading for children and while the contents of many others are harmless, there is a type of publication masquerading as a "comic" book, the subject matter of which is lurid, gruesome, fear-inspiring, and morbid, to say the least.

This type of "comic" book purports to be published subject to the publishers' self-imposed code of decency. If these standards, as exemplified by the type of publication put on the market week after week, are the best publishers can arrive at, it is incumbent upon the legislature to investigate the need for establishing standards of decency adequate to protect the impressionable minds of our children; now therefore be it

Resolved (by the House of Representatives), That the Joint State Government Commission is hereby directed to make a study of comic books, available for sale to children in this Commonwealth and to investigate their contents, particularly with reference to the gruesome, morbid type hereinbefore referred to. After completing such study, it shall make such recommendations as it deems necessary with respect to the establishment of standards commensurate with the proper education and protection of the impressionable minds of our children, together with accompanying drafts of necessary legislation, and submit its report thereon to the General Assembly at its next regular session.

Referred to the Committee on Rules.

### ADJOURNMENT

Mr. MORAN. Mr. Speaker, I move that this House do now adjourn until Saturday, December 22, 1951 at 12:01 a. m.

The motion was agreed to, and (at 11:55 p. m.) the House adjourned.





# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., SATURDAY, DECEMBER 22, 1951.

No. 110.

## SENATE

SATURDAY, December 22, 1951

The Senate met at 12:30 o'clock, a. m., Eastern Standard Time.

By Appointment of the PRESIDENT pro tempore:  
The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

In the absence of the Chaplain, the gentleman from Berks, DOCTOR RUTH, offered the following prayer:

Almighty God, our Heavenly Father, as we come to the end of this journey and we look back over the year, we thank Thee for all the things that we have done to help others. Where we have made mistakes, we ask Thy forgiveness and as we go back to our homes in this Yuletide, may we realize that the greatest Gift that has ever come to man was the Gift of Thy Son, our Lord. May that Spirit of the Christ Child be in our hearts, and as the angels sang the Prince of Peace, may we pray and work that that peace among men may soon be established, that everywhere we may recognize one another as brothers, as children of Thine, so that Thou mayest have all the glory and the honor in a world without end, Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. SNOWDEN, further reading was dispensed with, and the Journal was approved.

### SENATE RESOLUTION

URGING FOOTBALL GAMES BETWEEN THE UNIVERSITY OF PENNSYLVANIA, PENNSYLVANIA STATE COLLEGE AND THE UNIVERSITY OF PITTSBURGH

Messrs. BARR, NEFF, WALKER, DENT, LEADER, BYRNE, McMENAMIN, HARE, FREED, YOSKO, FLEMING and PECHAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 22, 1951.

Whereas, among the great Universities in Pennsylvania, there are three which annually field strong football teams, namely: University of Pennsylvania, Penn State College and the University of Pittsburgh, and

Whereas, an annual football game between each of

these three institutions would be a contest of great statewide interest

Now therefore be it resolved that the Senate of Pennsylvania does adjure the Athletic Directors of these three institutions to so arrange football schedules in the future that each of these schools will annually play the other two.

### RESOLUTIONS REFERRED TO COMMITTEE

JOINT STATE GOVERNMENT COMMISSION TO STUDY CERTAIN PRACTICES AND PROCEDURES IN STATE-OWNED MEDICAL AND SURGICAL HOSPITALS

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, December 22, 1951.

The Commonwealth maintains and operates 10 elaborate medical and surgical hospitals.

During the present session of the General Assembly approximately \$16,000,000 will be appropriated to 181 state-aided nonprofit hospitals throughout the 67 counties of Pennsylvania.

In contrast therewith, at this same session approximately \$10,000,000 is being appropriated to the 10 state-owned and operated medical and surgical hospitals.

These 10 state hospitals are located in only 5 of the counties of the state, which reflects the fact that the remaining 62 counties are helping to support, through taxation, these hospitals located in only 5 counties.

The state medical and surgical hospitals are engaged in unfair competition with state-aided nonprofit community hospitals in that their rates are lower than the actual cost of furnishing the services rendered.

Audits made by the Hon. Weldon B. Heyburn's department for the period ending May 31, 1950 indicate irregularities, noncompliance with law, inefficiencies and mismanagement in administration of the state-owned medical and surgical hospitals.

The state medical and surgical hospitals were originally organized to fill the need in caring for underpaid coal mine employees. They have long since outlived the purpose for which they were established, due to economic changes in wages and social services, the availability of Blue Cross, pension plan and other means through which hospital services may now be obtained; therefore be it

Resolved, That the Joint State Government Commission be directed to make a complete and thorough survey of the practices, procedures and policies under which the state-owned medical and surgical hospitals are operated, and to consider the advisability of disposing of these hospitals to the municipalities in which they are located, to be operated by such municipalities as community nonprofit hospitals on the same basis as the state-aided nonprofit community hospitals of the Commonwealth, and be it further

Resolved, That the commission on or before March 1, 1953, make a report of its findings together with its recommendations and drafts of legislation to put the same into effect.

## REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rules 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

## JOINT STATE GOVERNMENT COMMISSION TO STUDY CERTAIN PRACTICES AND PROCEDURES IN STATE MENTAL HOSPITALS

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, December 22, 1951.

Resolved, That the Joint State Government Commission be directed to make a survey of the practice, procedures, and policies under which the State mental hospitals are operated and in particular the methods of treatment and phyco-therapy program employed, the over crowding of accommodations, shortage of doctors and nurses and the method of employing attendants as well as to investigate the background of all attendants now employed, at each of the State mental hospitals; and be it further

Resolved, That the Commission make a report on or before March 1, 1953, of its findings and recommendations together with drafts of legislation to put such recommendations into effect.

## REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rules 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

## EXECUTIVE NOMINATIONS

## NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Thomas E. Whitten, for appointment as Sheriff in and for the County of Allegheny, for the purpose of confirmation.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the nomination as follows:

## SHERIFF, ALLEGHENY COUNTY

## Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Thomas E. Whitten, 939 Mifflin Avenue, Wilkensburg, Allegheny County, for appointment as Sheriff in and for the County of Allegheny, until the first Monday of January 1954, vice Walter C. Monaghan, deceased.

JOHN S. FINE.

## EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. DIEHM, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination. Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to the nomination. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Bane,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Proper,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Dent,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Slivert,	Wolfe,
DiSilvestro,	McMenamin,	Snowden,	Wood,
Fleming,	McPherson, Jr.	Stevenson,	Yosko,
Freed,	Meade,	Stiefel,	Hare,
			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations reported the following communication from His Excellency, the Governor, which was read as follows:

RECALLING THE NOMINATION OF LEONARD J. PARSONS AS CLERK OF THE COURT OF QUARTER SESSIONS OF THE PEACE AND CLERK OF THE COURT OF OYER AND TERMINER, COUNTY OF ALLEGHENY

December 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 21, 1951, for the appointment of Leonard J. Parsons, 474 Summit Drive, Mt. Lebanon, Allegheny County, as Clerk of the Court of Quarter Sessions of the Peace and Clerk of the Court of Oyer and Terminer, in and for the County of Allegheny, until the first Monday of January 1954, vice John J. McLean, deceased.

I respectfully request the return to me of the official message of nomination in the premises.

JOHN S. FINE.

## NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Leonard J. Parsons, for appointment as Clerk of the Court of Quarter Sessions of the Peace and Clerk of the Court of Oyer and Terminer, in and for the County of Allegheny.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the nomination as follows:



CLERK OF THE COURT OF QUARTER SESSIONS OF  
THE PEACE AND CLERK OF THE COURT OF  
OYER AND TERMINER, COUNTY OF  
ALLEGHENY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to  
nominate for the advice and consent of the Senate  
Leonard J. Parsons, 474 Summit Drive, Mt. Lebanon,  
Allegheny County, for appointment as Clerk of the Court  
of Quarter Sessions of the Peace and Clerk of the Court  
of Oyer and Terminer, in and for the County of Alle-  
gheny, until the first Monday of January 1954, vice John  
J. McLean, deceased.

JOHN S. FINE.

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, in accordance with the  
request of His Excellency, the Governor, I move that the  
nomination be returned to the Governor.

Mr. BERGER. Mr. President, I second the motion.  
The motion was agreed to.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive  
Session do now rise.

Mr. PECHAN. Mr. President, I second the motion.  
The motion was agreed to.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 772 RECALLED  
FROM THE GOVERNOR

The Clerk of the House of Representatives being intro-  
duced, presented for concurrence, House Bill No. 772, en-  
titled:

An Act to amend the act, approved the tenth day of  
May, one thousand nine hundred forty-nine (P. L. 30)  
entitled, "Public School Code of 1949," by providing for  
the training of uneducable mentally handicapped children  
at day care training centers provided by the Department  
of Public Instruction, and the care, training and super-  
vision by the Department of Welfare of children un-  
educable and untrainable in the public schools increasing  
State reimbursements for courses of handicapped chil-  
dren; and making an appropriation.

Said bill having been recalled from the Governor for  
amendment, the votes had on final passage and third  
reading were reconsidered in the House and the bill  
amended, in which amendments the concurrence of the  
Senate is requested.

The PRESIDING OFFICER. The bill will appear on the  
Calendar.

AMENDMENT TO HOUSE BILL No. 1324 RECALLED  
FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1324,  
entitled:

An Act to further amend the act, approved the first  
day of May, one thousand nine hundred twenty-nine  
(P. L. 905), entitled "Vehicle Code," by changing the  
registration year for commercial motor vehicles, motor  
buses, motor omnibuses, and trailers, and certain ex-  
emptions in accordance therewith.

Said bill having been recalled from the Governor for

amendment, the votes had on final passage and third  
reading were reconsidered in the House and the bill  
amended, in which amendments the concurrence of the  
Senate is requested.

The PRESIDING OFFICER. The bill will appear on the  
Calendar.

AMENDMENT TO HOUSE BILL No. 1544 RECALLED  
FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1544,  
entitled:

An Act imposing a permanent and a temporary State  
tax on fuels within the Commonwealth in internal com-  
bustion engines for the generation of power to propel  
motor vehicles using the public highways; providing for  
the collection and lien of the tax and the distribution and  
use of the proceeds thereof; requiring users, dealer-users  
and wholesalers to secure licenses and to file bonds as a  
guarantee of payment of taxes, penalties, interest, fines,  
uncollectible check fees and Attorney General's fees; to  
file reports and to compile and retain certain records; re-  
quiring registration of vehicles, dealers, and carriers for  
hire; imposing duties on such persons; imposing certain  
costs on counties; conferring powers and imposing duties  
on State officers and departments; providing for refunds  
of taxes, penalties and interest illegally or erroneously  
collected from licensees and providing penalties.

Said bill having been recalled from the Governor for  
amendment, the votes had on final passage and third  
reading were reconsidered in the House and the bill  
amended, in which amendments the concurrence of the  
Senate is requested.

The PRESIDING OFFICER. The bill will appear on the  
Calendar.

HOUSE CONCURS IN SENATE BILL No. 666

He also returned to the Senate, Senate Bill No. 666,  
entitled:

An Act to further amend clause (a) of Section 503 of  
the act, approved the ninth day of April, one thousand  
nine hundred twenty-nine (P. L. 343), entitled "An act  
relating to the finances of the State government; pro-  
viding for the settlement, assessment, collection, and lien  
of taxes, bonus, and all other accounts due the Common-  
wealth, the collection and recovery of fees and other  
money or property due or belonging to the Common-  
wealth, or any agency thereof, including escheated prop-  
erty and the proceeds of its sale, the custody and disburse-  
ment or other disposition of funds and securities belong-  
ing to or in the possession of the Commonwealth, and  
the settlement of claims against the Commonwealth, the  
resettlement of accounts and appeals to the courts, re-  
funds of moneys erroneously paid to the Commonwealth,  
auditing the accounts of the Commonwealth and all  
agencies thereof, of all public officers collecting moneys  
payable to the Commonwealth, or any agency thereof,  
and all receipts of appropriations from the Common-  
wealth and imposing penalties; affecting every depart-  
ment, board, commission, and officer of the State govern-  
ment, every political subdivision of the State, and cer-  
tain officers of such subdivisions, every person, association,  
and corporation required to pay, assess, or collect taxes, or  
to make returns or reports under the laws imposing taxes  
for State purposes, or to pay license fees or other moneys  
to the Commonwealth, or any agency thereof, every State  
depository and every debtor or creditor of the Com-  
monwealth," by clarifying the provisions relating to the  
jurisdiction and duty of the Board of Finance and Reven-  
ue to hear and determine certain petitions for refund;  
by clarifying the provisions relating to the time for filing  
of certain petitions for refunds and eliminating obsolete  
provisions.

with the information that the House has passed the same without amendments.

#### SENATE BILL No. 888 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration," by providing, by rule of court, for the arbitration of certain suits at issue and prescribing the procedure; the appointment and compensation of arbitration and the payment of fees and costs in such cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 888, entitled

An Act to amend the act approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration," by providing, by rule of court, for the arbitration of certain suits at issue and prescribing the procedure; the appointment and compensation of arbitration and the payment of fees and costs in such cases.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 11 and 12, by striking out after the word "filed" in line 11, and before the word "may" in line 12, the following: in which the amount in controversy shall be one thousand dollars (\$1000) or less

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 888

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 888.

Mr. FREED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the Houses of Representatives accordingly.

#### SENATE BILL No. 889 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 889, entitled:

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by further providing for fixing compensation to certain officers and employees.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 889, entitled

An Act to further amend Section 3704 of the act, approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by further providing for fixing compensation to certain officers and employees.

which was returned to the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 2, by inserting after line 18, the following: "Provided however that in such cases council may delegate this power to the Recreation Commission"

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 889

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 889.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the Clerk inform the House of Representatives accordingly.

### CALENDAR

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 187

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 187, as follows:

To the Members of the Senate and House of Representatives:

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 187, entitled: "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' court, the judges of the Municipal Court of Philadelphia and the judges of the County of Allegheny County, certain associate judges not learned in the law and repealing certain acts inconsistent herein."

Respectfully submit the following bill as our report:

JOHN R. MEADE,  
R. B. MAHANY,  
EUSTACE BANE,

(Committee on the part of the Senate.)

ROBERT F. KENT,  
EDWIN W. TOMPKINS,  
HIRAM G. ANDREWS,

(Committee on the part of the House of Representatives.)

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That from and after the effective date of this act the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County shall receive the compensation hereinafter provided

Section 2 The annual salary of the Chief Justice of the Supreme Court shall be twenty-five thousand five hundred dollars (\$25,500) and the annual salary of each of the associate judges of said court shall be twenty-five thousand dollars (\$25,000)

Section 3 The annual salary of the President Judge of the Superior Court shall be twenty-three thousand five hundred dollars (\$23,500) and the annual salary of each of the associate judges of said court shall be twenty-three thousand dollars (\$23,000)

Section 4 The annual salary of each of the judges of the courts of common pleas of the first and fifth judicial districts shall be eighteen thousand five hundred dollars (\$18,500)

With the exception of the judges of the courts of common pleas of Dauphin County the annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of more than two hundred and fifty thousand and less than one million inhabitants shall be sixteen thousand dollars (\$16,000) in judicial districts having a population of one hundred thousand and more but less than two hundred fifty thousand inhabitants shall be sixteen thousand dollars (\$16,000) in judicial districts having a population of sixty-five thousand or more and less than one hundred thousand inhabitants shall be fifteen thousand dollars

(\$15,000) in judicial districts having a population of less than sixty-five thousand inhabitants fourteen thousand dollars (\$14,000) the amount of the salaries to be paid under this paragraph in the several judicial districts shall be determined and fixed according to the population of such districts as ascertained by reference from time to time to the last proceeding decennial United States census

Section 5 The judges of the courts of common pleas of Dauphin County and the judges of the orphans' court of Dauphin County shall each receive twenty thousand dollars (\$20,000) annually

Section 6 In any county where a separate orphans' court is established the annual salary of each judge of the said orphans' court shall be the same as is paid to the judge or judges of the court or courts of common pleas in such county

Section 7 The annual salary of the President of the Municipal Court of Philadelphia shall be fourteen thousand five hundred dollars (\$14,500) and the annual salary of each of the other judges of said court shall be fourteen thousand dollars (\$14,000)

Section 8 The annual salary of the President Judge of the County Court of Allegheny County shall be fourteen thousand five hundred dollars (\$14,500) and the annual salary of each of the other judges of said court shall be fourteen thousand dollars (\$14,000)

Section 9 When any judge learned in the law is called in as now provided by law to assist the judge or judges of any other judicial district such judge so called in shall be entitled to receive for each day he is actually engaged in the performance of such duty the sum of thirty-five dollars (\$35) per day and actual traveling expenses not in excess of ten cents (10c) for each mile traveled to and from the place of holding court in such district

Section 10 The salaries or compensation of the associate judges not learned in the law of the courts of this Commonwealth shall be as follows each such associate judge shall receive six dollars (\$6) per day for each day he may be employed in the discharge of his official duties Provided That the salary of no such associate judge shall be less than one thousand two hundred dollars (\$1,200) annually each of said judges shall continue to be entitled to mileage as now provided by existing law

Section 11 The annual salaries and compensation of the associate judges not learned in the law hereinbefore provided for shall be paid monthly by warrant of the Auditor General on the State Treasurer

Section 12 The act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" and the amendment thereto are hereby repealed

Section 13 The provisions of this act shall become effective the first Monday of January one thousand nine hundred fifty-two

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 187

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 187.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 219

The Senate proceeded to the consideration of the report of the Committee of Conference on Senate Bill No. 219, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee on Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 219, entitled:

"An act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended; creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions; authorizing inter-state cooperation in certain cases creating a Contribution Fund and making appropriation."

Respectfully submit the following as our report:

R. B. MAHANY,  
GEO. N. WADE,  
SAMUEL G. NEFF,

(Committee on the part of the Senate.)

W. STUART HELM,  
NORMAN WOOD,  
HIRAM G. ANDREWS,

(Committee on the part of the House of Representatives.)

An Act To provide for the coverage of certain officers and employees of the Commonwealth and its political subdivision under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Declaration of Policy In order to extend to employees except those hereinafter excluded from the provisions of the act of the Commonwealth and its political subdivisions and of the instrumentalities of either and to the dependents and survivors of such employees the basic protection accorded to others by the old-age and survivors insurance system embodied in the Social Security Act it is hereby declared to be the policy of the General Assembly subject to the limitations of this act that such steps be taken as to provide such protection to employees of the Commonwealth and its political subdivisions and to the instrumentalities of either on as broad a basis as is permitted under the Federal Social Security Act

Section 2 Definitions The following words and phrases shall have the meaning ascribed to them in this section unless the context clearly indicates otherwise

(a) "Social Security Act" means the Act of Congress approved the fourteenth day of August one thousand nine hundred thirty-five Chapter 531 49 Statutes 620 officially cited as the "Social Security Act" (including regulations and requirements issued pursuant thereto) as such act has been and may from time to time be amended

(b) "Federal Insurance Contributions Act" means subchapter A of Chapter 9 of the Federal Internal Revenue Code as such code has been and may from time to time be amended

(c) "Political subdivision" includes a city borough incorporated town township county institution district school district vocational school district municipal authority and any instrumentality or agency of the Commonwealth or one or more of its political subdivisions or of the Commonwealth and one or more of its political subdivisions but only if such instrumentality or agency is an entity which is legally separate and distinct from the Commonwealth or political subdivision and only if its employees are not by virtue of their relation to such legal entity employees of the Commonwealth or political subdivision except that the limitations upon instrumentalities or agencies of political subdivisions shall not apply in the case of joint-county departments of health There shall be included in a political subdivision as defined herein any department agency board or other means heretofore or hereafter created for the change or the administration by the political subdivision of property and estates dedicated to charitable uses or trusts now or which shall hereafter become vested in or confided to the political subdivision

(d) "State Agency" means the agency created under section three hereof

(e) "Federal Agency" includes any individual department or agency as is charged on behalf of the Federal Government by or under the applicable Federal law with the particular Federal function referred to in this act in connection with such term

(f) "Employee" includes an officer or employee of a State political subdivision or instrumentality thereof

(g) "Employment" means any service performed by an employee in the employ of the Commonwealth any political subdivision or instrumentality of either for such employer except (1) service which in the absence of an agreement entered into under this act would constitute "employment" as defined in the Social Security Act or (2) service performed by employees in positions covered by a retirement system pension or annuity retirement plan or similar fund system or plan established by the Commonwealth or by a political subdivision on the date an agreement between the State Agency and the Federal Security Administrator applicable to such service is entered into or other service which under the applicable Federal law may not be included in an agreement between the Commonwealth and the Federal Security Administrator entered into under this act

(h) "Wages" means all remuneration for employment as defined herein including the cash value of all remuneration paid in any medium other than cash except that such term shall not include that part of such re-



muneration which even if it were for "employment" within the meaning of the Federal Insurance Contributions Act would not constitute "wages" within the meaning of that act

(i) "Applicable Federal law" refers to the provisions of Federal law Public Law seven hundred thirty-four eighty-first Congress (including Federal regulations and requirements issued pursuant thereto) which provide for extending the benefits of Title II of the Social Security Act to employees of State political subdivisions and their instrumentalities

Section 3 State Agency A State Agency is hereby created to carry out the provisions of this act which shall consist of the Secretary of Labor and Industry He shall with the approval of the Governor appoint such additional employees as may be deemed necessary to carry on the work required by this act and fix the salary or compensation of such additional employees

Section 4 (a) Federal-State Agreement The State Agency with the approval of the Governor is hereby authorized to enter on behalf of the Commonwealth into an agreement with the Federal Security Administrator consistent with the terms and provisions of this act for the purpose of extending the benefits of the Federal old-age and survivors insurance system to employees of the Commonwealth or any political subdivision thereof with respect to services specified in such agreement which constitute "employment" as defined in section two of this act Such agreement may contain such provisions relating to coverage benefits contributions effective date modification and termination of the agreement administration and other appropriate provisions as the State Agency and Federal Security Administrator shall agree upon but except as may be otherwise required by or under the Social Security Act as to the services to be covered such agreement shall provide in effect that

(1) Benefits will be provided for employees whose services are covered by the agreement and their dependents and survivors on the same basis as though such services constituted employment within the meaning of Title II of the Social Security Act

(2) The Commonwealth will pay to the Federal Agency at such time or times as prescribed by the applicable Federal law and by regulations promulgated thereunder contributions with respect to wage (as defined in section two of this act) equal to a sum not in excess of three percent (3%) of such wages received during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-three inclusive four percent (4%) of such wages received during the calendar years one thousand nine hundred fifty-four one thousand nine hundred fifty-nine inclusive five percent (5%) of such wages received during the calendar years one thousand nine hundred sixty-one one thousand nine hundred sixty-four inclusive six percent (6%) of such wages received during the calendar year one thousand nine hundred sixty-five one thousand nine hundred sixty-nine inclusive and six and one-half percent (6½%) of such wages received during the calendar year one thousand nine hundred seventy and thereafter The actual amount of the contributions to be made under the provisions of this paragraph shall be the amount necessary to carry out the provisions of this act and the agreement entered into in accordance therewith which amounts shall from time to time be determined by the State Agency subject to the limitations herein prescribed

(3) Such agreement shall be effective with respect to services in employment covered by the agreement performed on and after the first day of January one thousand nine hundred fifty-one or such later date as may be specified in the agreement

(4) All services which constitute employment as defined in section two and are performed in the employ of the Commonwealth by employees of the Commonwealth shall be covered by the agreement and

(5) All services which constitute employment as defined in section two are performed in the employ of a political subdivision of the State and are covered by a plan which is in conformity with the terms of the agree-

ment and has been approved by the State Agency under section five shall be covered by the agreement

(b) Interstate instrumentalities any instrumentality jointly created by this Commonwealth and any other state or states is hereby authorized upon the granting of existence of like authority by such other state or states (1) to enter into an agreement with the Federal Security Administrator whereby the benefits of the Federal old age and survivors insurance system shall be extended to employees of such instrumentality (2) to require its employees to pay and for that purpose to deduct from their wages contributions equal to the amounts which they would be required to pay under section five (a) if they were covered by agreement made pursuant to subsection (a) agency in accordance with such agreement including of this section and (3) to make payment to the Federal agency in accordance with such agreement including payments from its own funds and otherwise to comply with such agreements

Section 5 Contributions by State Employees (a) Every employee of the Commonwealth whose services are covered by an agreement entered into under section four shall be required to pay for the period of such coverage into the Contribution Fund established by section seven contributions with respect to wages (as defined in section two of this act) not in excess of one and one-half percent (1½%) of such wages received during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-three inclusive two percent (2%) of such wages received during the calendar years one thousand nine hundred fifty-four one thousand nine hundred fifty-nine inclusive two and one-half percent (2½%) of such wages received during the calendar years one thousand nine hundred sixty-one and one thousand nine hundred sixty-four inclusive three percent (3%) of such wages received during the calendar years one thousand nine hundred sixty-five one thousand nine hundred sixty-nine inclusive and three and one-fourth per cent (3¼%) of such wages received during the calendar year one thousand nine hundred seventy and thereafter The Actual amount of the contributions to be made under the provisions of this paragraph shall be the amount necessary to carry out the provisions of this act and the agreement entered into in accordance therewith which amounts shall from time to time be determined by the State Agency subject to the limitations herein prescribed such liability shall arise in consideration of the employees retention in the service of the Commonwealth or his entry upon such service after the enactment of this act

(b) The contribution imposed by this section shall be collected by each salary paying agency by deducting the amount of the contribution from wages as and when paid but failure to make such deduction shall not relieve the employee from liability for such contribution

(c) If more or less than the correct amount of the contribution imposed by this section is paid or deducted with respect to any remuneration proper adjustments or refund if adjustment is impracticable shall be made without interest in such manner and at such times as the State Agency shall prescribe

Section 6 Plans for Coverage of Employees of Political Subdivisions (a) Each political subdivision of the Commonwealth is hereby authorized to submit for approval by the State Agency a plan for extending the benefits of Title II of the Social Security Act in conformity with applicable provisions of such act to employees of such political subdivision Each such plan and any amendment thereof shall be approved by the State Agency if it finds that such plan or such plan as amended is in conformity with such requirements as are provided in regulations of the State Agency except that no such plan shall be approved unless

(1) it is in conformity with the requirements of the Social Security Act and with the agreement entered into under section four

(2) it provides that all services which constitute employment as defined in section two and are performed in the employ of the political subdivision by employees thereof shall be covered by the plan



(3) it specifies the source or sources from which the funds necessary to make the payments required by paragraph (1) of subsection (c) and by subsection (d) of this section are expected to be derived and contains reasonable assurance that such sources will be adequate for such purposes

(4) it provides for such methods of administration of the plan by the political subdivision as are found by the State Agency to be necessary for the proper and efficient administration of the plan

(5) it provides that the political subdivision will make such reports in such form and containing such information as the State Agency may from time to time require and comply with such provisions as the State Agency or the Federal Agency may from time to time find necessary to assure the correctness and verification of such reports and

(6) it authorizes the State Agency to terminate the plan in its entirety in the discretion of the State Agency if it finds that there has been a failure to comply substantially with any provision contained in such plan such termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the State Agency and may be consistent with the provisions of the Social Security Act

(b) The State Agency shall not finally refuse to approve a plan submitted by a political subdivision under subsection (a) and shall not terminate an approved plan without reasonable notice and opportunity for hearing to the political subdivision affected thereby

(c) (1) Each political subdivision as to which a plan has been approved under this section shall pay into the Contribution Fund with respect to wages (as defined in section two of this act) at such time or times as the State Agency may by regulation prescribe contributions in the amounts and at the rates specified in the applicable agreement entered into by the State Agency under section four

(2) Each political subdivision required to make payments under paragraph (1) of this subsection is authorized in consideration of the employee's retention in or entry upon employment after enactment of this act to impose upon each of its employees as to services which are covered by an approved plan a contribution with respect to his wages (as defined in section two of this act) not exceeding the amount of contributions by Commonwealth employees as provided in subsection (a) of section five of this act and to deduct the amount of such contribution from his wages as and when paid Contributions so collected shall be paid into the Contribution Fund in partial discharge of the liability of such political subdivision under paragraph (1) of this subsection Failure to deduct such contribution shall not relieve the employee or employer of liability therefor

(d) Delinquent payments due under paragraph (1) of subsection (c) may with interest at the rate of six (6) per centum per annum be recovered by action in a court of competent jurisdiction against the political subdivision liable therefor or may at the request of the State Agency be deducted from any other moneys payable to such political subdivision by any department or agency of the Commonwealth

Section 7 Contribution Fund (a) There is hereby created as a special fund in the State Treasury the Contribution Fund Such fund shall consist of and there shall be deposited in such fund (1) all contributions interest and penalties collected under sections five and six (2) all moneys appropriated thereto under this act (3) any property or securities and earnings thereof acquired through the use of moneys belonging to the fund (4) interest earned upon any moneys in the fund and (5) all sums recovered upon the bond of the custodian or otherwise for losses sustained by the fund and all other moneys received for the fund from any other source All moneys in the fund shall be mingled and undivided Subject to the provisions of this act the State Agency is vested with full power and jurisdiction over the fund including all moneys and property or securities belonging thereto and may perform any and all acts whether or not specifically desig-

nated which are necessary to the administration thereof and are consistent with the provisions of this act

(b) The Contribution Fund shall be established and held separate and apart from any other funds or moneys of the Commonwealth and shall be used and administered exclusively for the purpose of this act Withdrawals from such fund shall be made for and solely for payment of amounts required to be paid to the Federal Agency pursuant to an agreement entered into under section four payment of refunds provided for in section five (c) of this act and refunds of overpayments not otherwise adjustable made by a political subdivision

(c) From the Contribution Fund the State Treasurer upon warrant of the State Agency shall pay to the Federal Agency such amounts and at such time or times as may be directed by the State Agency in accordance with any agreement entered into under section four and the Social Security Act

(d) (1) There are hereby authorized to the appropriated biennially to the Contribution Fund in addition to the contributions collected and paid into the Contribution Fund under sections five and six to be available for the purposes of section seven (b) and (c) until expended such additional sums as are found to be necessary in order to make the payments to the Federal Agency which the Commonwealth is obligated to make pursuant to an agreement entered into under section four

(2) The State Agency shall submit to each regular session of the General Assembly at least ninety (90) days in advance of the beginning of such session an estimate of the amounts authorized to be appropriated to the Contribution Fund by paragraph (1) of this subsection for the next fiscal biennium

Section 8 Rules and Regulations The State Agency is hereby authorized and empowered to make such rules and regulations not inconsistent with the provisions of this act as it finds necessary or appropriate to the efficient administration of the functions with which it is charged under this act

Section 9 Studies and Reports The State Agency shall make studies concerning the problem of old-age and survivors insurance protection for employees of the Commonwealth and local governments and their instrumentalities and concerning the operation of agreements made and plans approved under this act and shall submit a report to the General Assembly at the beginning of each regular act during the preceding biennium including such recommendations for amendments to this act as the State session covering the administration and operation of this Agency considers proper

Section 10 Administrative Appropriation For the purpose of administering the provisions of this act for the biennium beginning the first day of June one thousand nine hundred fifty-one and ending the thirty-first day of May one thousand nine hundred fifty-three there is hereby appropriated to the State Agency the sum of forty thousand dollars (\$40,000)

Section 11 The sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the State Agency to be paid into the contribution fund

Section 12 Repeal All acts and parts of acts are hereby repealed insofar as they are inconsistent with the provisions of this act

Section 13 Effective Date The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 219

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 219.

Mr. BERGER. Mr. President, I second the motion.



On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF THE COMMITTEE OF CONFERENCE  
ON HOUSE BILL NO. 862

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 862, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE  
ON HOUSE BILL NO. 862

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 862, entitled: "An act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police."

Respectfully submit the following bill as our report:

PAUL L. WAGNER,  
A. H. LETZLER,  
WILLIAM J. LANE,  
(Committee on the part of the Senate.)

D. RAYMOND SOLLENBERGER,  
W. H. McCULLOUGH,  
J. DEAN POLEN,

(Committee on the part of the House of Representatives.)

## AN ACT

To add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint and fix the salary of special school watchmen and defining the power and duties of such watchmen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An

act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 510 thereof a new section to read as follows

Section 510.1 Special School Watchmen School Districts in Townships of the Second Class The board of school directors of school districts in townships of the second class may by resolution appoint and fix the salary of special school watchmen who shall have the duty of patrolling school grounds and protecting school property

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF  
CONFERENCE ON HOUSE BILL NO. 862

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 862.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1641

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1641, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE  
ON HOUSE BILL NO. 1641

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1641, entitled: "An act to add Section 599-A to Article V, subsection (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (Pamphlet Laws 103) entitled 'An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto,' by authorizing the appointment of special school police and defining their powers and duties,"

Respectfully submit the following bill as our report:

PAUL L. WAGNER,  
A. H. LETZLER,  
WILLIAM J. LANE  
(Committee on the part of the Senate.)

JOHN MAZZA,  
J. DEAN POLEN,

(Committee on the part of the House of Representatives.)

### AN ACT

To add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (Pamphlet Laws 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police defining their powers and duties and providing for their compensation by the school district. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V subsection (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after Section 599 thereof a new section to read as follows

Section 599-A Special School Police Upon request of the board of school directors of the school district of the township the board of township supervisors by resolution may appoint special school police who shall have the duty of controlling and directing traffic at or near schools and who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all the power of local police officers. Such police shall serve at the pleasure of the board of township supervisors and shall not come within the civil service provisions of this act. There compensation shall be fixed and paid by the board of school directors

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1641

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1641.

Mr. WOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silver,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 772, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 1372 thereof a new section to read as follows

Section 1372.1 Day Care Training Centers for the Proper Training of Mentally Handicapped Children The Department of Public Instruction is hereby authorized to provide maintain administer supervise and operate day care training centers for the proper training of mentally handicapped children who have been declared to be uneducable in the public schools but who are considered to be trainable. Pupil eligibility for day care training centers shall be determined according to standards and regulations promulgated by the State Council of Education. The school district in which a child who is enrolled in any day care training center is resident shall pay to the Commonwealth a sum equal to the district's "tuition charge per elementary pupil" for the preceding school term as provided for in section two thousand five hundred sixty-one of the act to which this is an amendment. In order to facilitate such payments by the several school districts the Superintendent of Public Instruction shall withhold from any moneys due to such district out of any State appropriation the amounts due by such school districts to the Commonwealth. All amounts so withheld are hereby specifically appropriated to the Department of Public Instruction for the maintenance and administration of day care training centers for mentally handicapped children

Section 2 Sections 1375 and 2509 of said act are hereby amended to read as follows

Section 1375 Uneducable Children Provided for by Department of Welfare The State Council of Education shall establish regulations for temporary or permanent exclusion from the public school of children who are found to be uneducable and untrainable in the public schools. Any child who is reported by [an approved mental clinic or by] a person who is certified as a public school psychologist [or psychological examiner] as being uneducable and untrainable in the public schools may be reported by the board of school directors to the Superintendent of Public Instruction and when approved by him in accordance with the regulations of the State Council of Education shall be certified to the Department of Welfare [in accordance with regulations approved by the State Council of Education. After any such board shall have thus reported any child it] as a child who is uneducable and untrainable in the public schools. When a child is thus certified the public schools shall be relieved of the obligation of providing education or training for such child. The Department of Welfare shall thereupon arrange for the [admission] care training and supervision of such child [at an appropriate institution for the training of] in a manner not inconsistent with the laws governing mentally



defective [children due consideration being given to the availability of space in such institution] individuals

Section 2509 Payments on Account of Courses for Handicapped Children Every school district regardless of classification shall be paid by the Commonwealth for every school term the sum of twenty dollars (\$20) per pupil in average daily membership in a course or courses for mentally handicapped children and the sum of thirty dollars (\$30) per pupil in average daily membership in a course or courses for physically handicapped children approved by the Superintendent of Public Instruction

Section 3 The sum of fifty thousand dollars (\$50,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of maintaining administering supervising and operating day care training centers for mentally handicapped children

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 772, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 772, recalled from the Governor.

Mr. BERGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1324, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescrib-

ing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties city boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the registration year for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers and certain exemptions in accordance therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 413 and 510 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) are hereby further amended to read as follows

Section 413 Expiration of Registration All registrations shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following provided that all registrations for commercial motor vehicles motor buses motor omnibuses trucks tractors trailers and semi-trailers for the registration year one thousand nine hundred fifty-three shall expire May thirty-first one thousand nine hundred fifty-four provided further that no registration for a commercial motor vehicle motor bus motor omnibus truck tractor trailer or semi-trailer shall be issued for the registration year one thousand nine hundred fifty-three prior to the first day of June one thousand nine hundred fifty-three unless the application therefor is accompanied by the annual fee prescribed plus an additional fee equal to one-sixth thereof Commencing with the registration year one thousand nine hundred fifty-four and thereafter registrations for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers June first of one year and expiring May thirty-first of shall be issued for a registration year commencing on the year following Registrations shall also expire when suspended for cause by the secretary and immediately upon the transfer of ownership or the destruction of the vehicle Registrations for the succeeding year may at the option of their holders be used on and after [March fifteenth of the current year] the fifteenth day of the month immediately preceding the beginning of the current registration year

Section 510 The Expiration of Registration Plates

(a) All registration plates shall be issued for a registra-



tion year commencing on April first of one year and expiring March thirty-first of the year following provided that all registration plates for commercial motor vehicles motor buses motor omnibuses truck tractors trailer and semi-trailers for the registration year one thousand nine hundred fifty-three shall expire May thirty-first one thousand nine hundred fifty-four commencing with the registration year one thousand nine hundred fifty-four and thereafter registration plate for commercial motor vehicles motor buses motor omnibuses trucks tractors trailers and semi-trailers shall be issued for a registration year commencing on June first of one year and expiring May thirty-first of the year following Registration plates shall also expire when suspended for cause by the secretary the registration plate or plates for the succeeding year may at the option of the owner be used on and after [March fifteenth of the current year] the fifteenth day of the month immediately preceding the beginning of the current registration year

(b) No motor vehicle trailer or semi-trailer shall be operated with a registration plate or plates which have expired nor without registration plate or plates on as required by this act the claim by the owner or operator that the registration plate or plates for the current year have been applied for but not received

Penalty Any person violating any of the provisions of subsection (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 Subsection (f) of section 722 of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1102) is hereby further amended to read as follows

#### Section 722 Exemptions from Fees

\* \* \* \*

(f) No fee shall be charged for transfer of registration for the succeeding year when such transfer has been received and completed by the department prior to [April first of such succeeding year] the first day of such succeeding registration year

Section 3 The purpose and intent of this act is commencing with the registration year one thousand nine hundred fifty-four to change the registration year for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers from the period of April first to March thirty-first to the period June first to May thirty-first without any ultimate loss of revenue for the use of the highways To accomplish that end registrations and registration plates issued for the registration year one thousand nine hundred fifty-three for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers shall be valid until May thirty-first one thousand nine hundred fifty-four

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1324, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1324, recalled from the Governor.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreech,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1544, as follows:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Fuel Use Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning "Association" shall mean and include a partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" shall mean and include a corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Dealer-user" shall mean and include any person who delivers or places fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or who uses within the meaning of the word "use" as defined in this section

"Department" shall mean and include the Department of Revenue of this Commonwealth

"Fuels" shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel vehicles of any kind or character on the public highways except such fuels as are defined as liquid fuels by the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) known as "The Liquid Fuels Tax Act" and its amendments

"Magistrate" shall mean and include a magistrate alderman justice of the peace or other officer having the



powers of a committing magistrate in this Commonwealth "Motor Vehicles" shall mean and include all vehicles engines machines or mechanical contrivances which are propelled by internal combustion engines or motors

"Person" shall mean and include every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Public Highways" shall mean and include every way or place of whatever nature open to the public as a matter of right including a toll highway for the purpose of vehicular travel excepting those that are closed or that portion of any stretch which is closed to such travel by order of the State Highway Department for the purpose of construction or reconstruction

"Secretary" shall mean and include the Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Use" shall mean and include (a) the importation into this Commonwealth of fuels in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in excess of fifty (50) gallons and (b) the delivery or placing of fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in this Commonwealth for use in whole or part for the generation of power to propel such motor vehicle on the public highways of this Commonwealth The delivery of fuels into such supply tanks or other fueling receptacles or devices shall constitute a conclusive presumption that the fuel so delivered is to be used in propelling such motor vehicles on the public highways of this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Application for License Licensing of Dealer-Users Bond or Deposit of Collateral Securities (a) On and after the effective date of this act it shall be unlawful for any dealer-user to engage in or thereafter begin to engage in the use or sale and delivery of fuels within this Commonwealth unless a license shall have been issued to him as hereinafter prescribed

Penalty Each day in which any dealer-user shall engage in the use of fuels within this Commonwealth without a license as required by this act shall constitute a separate offense and he shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(b) Every person desiring to operate as a dealer-user shall file an application for a license with the department The application for license shall be made upon a form prescribed prepared and furnished by the department upon request and shall set forth the name under which the applicant transacts or intends to transact business the location of his principal place of business in this Commonwealth and such other information as the department may require If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for the purpose of identification The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by the executive officers thereof or person specifically authorized by the corporation to sign the application to which shall be attached written evidence of their authority

(c) Upon approval of the application and the bond hereinafter required the department shall grant and issue to each dealer-user a license or licenses which shall at all times be posted conspicuously at all places where fuels are stored for use or for sale and delivery Licenses shall not be assignable or transferable and shall be valid only for the dealer-user in whose name issued licenses

shall be displayed for identification purposes by dealer-users to any officer of the Pennsylvania State Police upon request Licenses shall continue permanently in effect unless surrendered or suspended or revoked for cause by the secretary

Penalty Any person assigning or attempting to assign or transfer a license or who shall fail to display his license as required herein shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) for each offense and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(d) A license shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than five hundred dollars (\$500) Every such bond shall have as surety a duly authorized surety company approved by the Insurance Department of this Commonwealth and signed by a resident Pennsylvania agent of the surety conditioned that the dealer-user shall faithfully comply with the provisions of this act during the effective period of his license The department may require any dealer-user to furnish such additional surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him

For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by a written notice require any dealer-user to furnish a financial statement in such form as it may prescribe Upon failure of any dealer-user to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the license or licenses issued to him and shall collect all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him

Any surety on a bond furnished by a dealer-user as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from date upon which the surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period The department shall promptly after receiving such request notify the dealer-user who furnished the bond and unless the dealer-user shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by the Insurance Department of this Commonwealth the department shall forthwith cancel the dealer-user's license or licenses Whenever a new bond shall be furnished by the dealer-user as aforesaid the department shall cancel and surrender the original bond of the dealer-user as soon as it shall be satisfied that all liability under the original bond has been fully discharged

(e) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer negotiable or assigned bonds which are direct obligations of the United States Government or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person as collateral guarantee of payment of all liabilities accruing under the provisions of this act The State Treasurer shall issue to such person and to the Department of Revenue a certificate of such deposit The said securities shall be retained by the State Treasurer after the termination of the license of such person whether by his own act or the action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue prior to the issuance of certification by the department that all fuel taxes penalties interest fees fines uncollectible check fees and Attorney General's



fee have been paid The department shall furnish the State Treasurer with a copy of such certification and authorize the return of said securities by the State Treasurer to the owner

(f) Upon the surrender or revocation for cause of the license of any dealer-user the department shall return surety bonds for cancellation or deposits made in accordance with the provisions of this section only after it is satisfied that all fuel taxes penalties interest fees and fines due the Commonwealth under the terms of the bond and the provisions of this act have been paid

Section 4 Imposition of Tax Exemptions A permanent excise tax at the rate of three cents (3c) a gallon or fractional part thereof is hereby imposed on all dealer-users upon the use as herein defined of fuel within this Commonwealth to be computed in the manner hereinafter set forth The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels used within the Commonwealth and Provided further That no tax is hereby imposed upon (1) any fuel that is used by or sold and delivered to the United States government when such sales and deliveries are supported by documentary evidence satisfactory to the department or (2) upon any fuel not in excess of fifty (50) gallons brought into this Commonwealth in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or (3) upon any fuel used by or sold or delivered for use in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or equipment when such sales and deliveries are supported by documentary evidence satisfactory to the department or (4) upon any fuel used by or sold or delivered to the Commonwealth of Pennsylvania and its political subdivisions when such sales and deliveries are supported by documentary evidence satisfactory to the department

In addition to such tax an additional State excise tax of two cents (2c) a gallon or fractional part thereof is hereby imposed and assessed on all dealer-users upon the use as herein defined of fuel within this Commonwealth within the limitations of the provisions of this section for the period beginning February first one thousand nine hundred fifty-two and ending on the thirty-first day of May one thousand nine hundred fifty-three

Section 5 By Whom Tax is Payable Every dealer-user upon whom a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act It shall be the duty of each dealer-user to furnish to the department such information concerning such use as the department may require

Section 6 Dealer-user's Reports and Payments of Tax Discount Allowed Interest and Penalties For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every dealer-user on or before the last day of each month to file with the department upon forms prescribed prepared and furnished by the department a report under oath or affirmation of the fuels used by him within this Commonwealth during the preceding month This report shall include all such information as the department may require and prescribe Dealer-users having more than one place of business within this Commonwealth shall combine in each report the use of fuels at all such separate places of business

Dealer-users at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuels used by him during the preceding month Fuels not accounted for to the satisfaction of the department shall be deemed to have been used for taxable purposes and taxes imposed thereon and collected by the department

If the report required herein is filed and tax paid on time a discount of two per centum (2%) of the gross amount of tax shall be allowed the dealer-user

The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum (1%) per month or fractional part of a month from the date they are due and payable until paid

If any dealer-user shall fail neglect or refuse to make any report or payment as herein required an additional ten per centum (10%) of the gross amount of tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of a dealer-user may forthwith be suspended or revoked by the department and required to be surrendered to the department

Section 7 Determination and Redetermination of Tax Penalties and Interest Due (a) If any dealer-user shall fail to neglect or refuse to secure a license as provided in this act or to file a report and pay the tax imposed by this act or if the department is not satisfied with the report and payment of tax made by any dealer-user under the provisions of this act the department is hereby authorized and empowered to make a determination of the tax due by such dealer-user based upon any information which it may have in its possession or may obtain from other sources

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such dealer-user Within thirty (30) days after notice of any such determination such dealer-user may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within six (6) months after the date of any petition to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of action on petition by the department

(c) Within sixty (60) days after notice by the department of the action taken on any petition for redetermination filed with it the dealer-user against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the board of Finance and Revenue may prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within six (6) months the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) The department is hereby empowered to redetermine taxes and to authorize adjustments on current fuel use tax reports of dealer-users of overpayments within ninety (90) days of due date and payment providing information in the department's possession warrants such adjustment



**Section 8 Examination of Records and Equipment** The department or any employee appointed in writing by it or any officer of the Pennsylvania State Police is hereby authorized to examine the books and records of account storage tanks motor vehicles and any other equipment of any dealer-user carrier or any other person pertaining to the use sale or delivery of fuels taxable under this act to determine the use or for the purpose of ascertaining whether or not the tax imposed by this act has been paid or to certify the accuracy of any report or payment made under the provisions of this act or to determine the financial responsibility of any dealer-user or the accuracy of any financial statement required to be submitted to the department under the provisions of this act or regulations of the department

The secretary or his deputy is hereby authorized and shall have the power in the enforcement of provisions of this act to hold hearings to administer oaths to witnesses and to take the sworn testimony of any person and cause it to be transcribed into writing.

The secretary or his deputy is hereby authorized to issue subpoenas and subpoenas duces tecum and compel the attendance of witnesses and shall have the power to conduct such investigations as he may deem necessary. If any person shall refuse access to such books and records of account or other documents or any equipment or if any person shall fail or refuse to obey such subpoenas or subpoenas duces tecum or shall fail or refuse to testify before the secretary or his deputy the Court of Common Pleas of Dauphin County or of any other county in which the dealer-user resides or has its principal place of business or may be found upon application of the secretary or his deputy and after notice to the dealer-user and hearing may issue an order requiring such dealer-user to appear before the secretary or his deputy in obedience to such subpoena and testify and produce books records or other documents or equipment in compliance with such subpoena and upon refusal of the dealer-user to obey such order of the court punish such dealer-user for contempt.

**Section 9 Regulations Records Required and Retention of Records by All Dealer-users and Carriers**

(a) The secretary shall have the authority to prescribe all forms upon which reports shall be made to the department and any other forms required for the proper administration of this act and shall prescribe and cause to be published all needful rules and regulations for the enforcement of this act.

(b) Every dealer-user shall maintain issue and keep as the case may be for a period of two (2) years complete records of fuels received used sold or delivered within this Commonwealth by such dealer-user including suitable books and records of accounts and such other pertinent papers as may be required by regulation. Every carrier shall keep similar records with respect to deliveries of products capable of being used as fuels.

(c) Any person shall at the request of the department furnish to it information with respect to all sales and deliveries made by him to licensed dealer-users of such products capable of being used as fuels as may be designated by regulations issued by the department.

**Penalty** Any person failing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for not more than thirty (30) days for each offense or both.

**Section 10 Disposition and Use of Tax** The permanent and additional State taxes collected under the provisions of this act less discounts allowed shall be paid into the Liquid Fuels Tax Fund and the Motor License Fund in the same proportions as are liquid fuels taxes and are hereby specifically appropriated for the same uses and purposes.

**Section 11 Discontinuance of Business by Dealer-user** Whenever a dealer-user engaged in the "use" as defined in this act of fuels ceases to be a dealer-user by reason of discontinuance sale or transfer of his business it shall be his duty to so notify the department in writing within

five (5) days after the discontinuance sale or transfer takes effect. His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof. It shall also be the duty of dealer-user within ten (10) days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest penalties fees and fines that may be due by him and to surrender to the department the license or licenses issued to him by the department.

**Penalty** Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both.

**Section 12 Suspension or Revocation of Licenses** Whenever the department finds that the holder of a license or licenses has failed to comply with the provisions of this act or regulations issued by the department the department shall notify such holder and afford him a hearing on five (5) days' written notice except as hereinbefore provided. After such hearing the department may revoke or suspend the dealer-user's license or licenses and upon suspending or revoking any license shall demand the holder thereof to surrender to it immediately all licenses issued to him and the dealer-user shall surrender within five (5) days all licenses to the department as hereby required.

Any holder of a dealer-user's license aggrieved by the decision of the department in suspending or revoking his license may within thirty (30) days appeal to the Court of Common Pleas of Dauphin County from the decision of the department in the manner provided by law for appeals in the case of tax settlements. No such appeal shall act as a supersedeas but the suspension or revocation of the license by the department shall remain in full force and effect pending the disposition of the appeal.

**Penalty** Any person failing neglecting or refusing to surrender a license suspended or revoked by the department as provided herein shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not less than one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both.

**Section 13 Lien of Taxes Penalties Interest Fees and Fines** (a) All taxes herein imposed and unpaid penalties interest fees and fines due by any person shall be a lien upon the franchises and property both real and personal of such person from the date said taxes penalties interest fees and fines are due and payable as provided in this act and if and when recorded as provided in clause (b) hereof shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties interest fees and fines shall have priority over a mortgage only if the liens thereof were filed of record as provided in clause (b) hereof prior to the recording of the mortgage.

(b) Liens and statements of all taxes penalties interest fees and fines herein imposed due and unpaid certified by the secretary or his representative shall be transmitted to the prothonotaries of the respective counties of the Commonwealth through the Department of Justice to be entered of record as of the date due and payable upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed.

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a licensed dealer-user as herein defined without first giving the department thirty days notice of the sale and a statement containing the following information:

- 1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is to be made
- 2 Name of the person whose property or franchise is to be sold
- 3 The time and place of sale



4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish the sheriff receiver trustee assignee master or other officers having charge of the sale a certified statement of all fuel taxes penalties interest fines and fees due the Commonwealth as liens against such person and in case no such liens exist a certificate setting forth that fact which certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all taxes penalties interest fees and fines owing by any licensed dealer-user which are of record in the department as a lien or which may become a lien against any person under the provisions of this act

Section 14 Collection of Unpaid Taxes Whenever the taxes penalties interest fees and fines imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of the department's action on the petition if no petition for review has been filed or within sixty days from the date of decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall request the Department of Justice to collect the same

On all claims for taxes penalties interest fees and fines hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the dealer-user for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars (\$10,000) and three (3) per centum upon the amount of recovery in excess of ten thousand dollars (\$10,000) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the licensed dealer-user and shall be a lien against his property in like manner as the amount of the claim

Section 15 Registration of Carriers and Reports Required of Carriers Every person engaged in or intending to engage in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner for hire to a dealer-user as defined in this act shall register with the department on forms prescribed and furnished by the department upon request

Every person engaged for hire in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner to a dealer-user either in interstate or intra-state commerce to a point within this Commonwealth from a point within or without this Commonwealth shall report under oath or affirmation to the department on or before the last day of each month for the preceding month all deliveries of such products capable of being used as fuels taxable under this act as may be designated by regulations issued by the department made to points within this Commonwealth Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of such products which were transported and delivered together with date of delivery and any other information which the department may require

Penalty Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo im-

prisonment for thirty (30) days for each offense or both

Section 16 Refunds The Board of Finance and Revenue may refund to dealer-users tax penalties and interest provided by this act and paid by them as a result of an error of law or of fact or of both law and fact Claims for refund shall be filed with the Board of Finance and Revenue within one year of the date of overpayment and shall be made under the procedure prescribed by The Fiscal Code

All refunds of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in the amounts equal to the original distribution and the payment of such moneys into said funds

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized Estimates of the amounts to be expended from these funds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisitions of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 17 Enforcement The department shall be charged with the enforcement of this act Such employees of the Commonwealth as are designated as "Pennsylvania State Police" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 18 Disposition of Fees Fines and Forfeitures Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeitures that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury by the department and credited to the Motor License Fund

Section 19 Exchange of Information Among the States Issuance and Sale of Lists and Certified Copies of Records The secretary or his representatives shall upon request received from the officials to whom are entrusted the enforcement of the fuel tax laws of any other state forward to such officials any information for governmental use which it may have in its possession relative to the manufacture receipt sale use transportation shipment or delivery by any person of fuel

The department shall prepare issue and distribute such lists of dealer-users and carriers as may be necessary for the proper administration and enforcement of this act without charge Sales of such lists as are issued by the department under these provisions may be made for other than governmental use and for each list a fee of ten dollars (\$10) shall be charged payable in advance

The fee for each certified copy or certified photostat copy of any department record shall be one dollar (\$1) payable in advance Provided That no fee shall be charged for certified copies or certified photostat copies of any departmental records furnished to any State or Federal Government authorities

Section 20 Uncollectible Checks Whenever any check issued in payment of tax penalties interest fees or fines imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars (\$5) per hundred dollars or fractional part thereof plus all protest fees to the person offering such check in payment



Section 21 Violation (a) Any person who shall fail neglect or refuse to make the report or pay the tax penalties and interest imposed by this act or who shall refuse to permit representatives of the department or the Pennsylvania State Police to examine his books and records of account storage tanks motor vehicles or other equipment pertaining to the use sale or delivery or importation of fuels within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the quantities of fuels used sold or delivered or to avoid the payment of the whole or any part of the tax penalties or interest due shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failure to make the report required and attend to the payment of tax imposed by this act Such fines shall be in addition to any penalty imposed by any other section or subsection of this act Upon conviction all of the guilty dealer-users' licenses shall be revoked

(b) It shall be unlawful for any person to commit any of the following acts

(1) To display or represent as one's own or cause or permit to be displayed any license not issued to the person displaying it or to have unlawfully in one's possession any unsigned fictitious or altered license or any license which is invalid as a result of cancellation suspension revocation by the department or expiration

(2) To give use or enter a false or fictitious name or give use or enter a false or fictitious address in any investigation or on any application business record or report required under the provisions of this act or otherwise misrepresent or commit a fraud on any application or business record required under the provisions of this act

Penalty Any person violating any of the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one year or both

Sectin 22 Carriers registered with the department as such under the provisions of the Fuel Use Tax Act of 1947 as amended shall not be required to reregister under this act

Section 23 Saving Clause (a) The passage of this act shall not be taken or construed to relieve any person association or corporation whatsoever from the payment of any tax penalty or interest due or owing the Commonwealth under any laws in force at the time this act becomes effective or to affect or terminate any petitions investigations prosecutions legal or other proceedings pending under such laws or to prevent the commencement of any legal proceedings for violations of such laws heretofore committed or for the recovery of taxes penalties or interest due or owing to the Commonwealth under such laws

(b) All taxes penalties and interest due from users of fuels under laws heretofore in force that are collected or received by the department after the effective date of this act shall be transmitted to the State Treasury through the department and credited to the Liquid Fuels Tax fund and the Motor License Fund in the proportion provided in the act under which the tax was collected

Section 24 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent

that this act would have been adopted had such constitutional provisions not been included herein

Section 25 Acts of Assembly Repealed The act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" and its amendments is hereby repealed

All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 26 Effective Date This act shall become effective on the first day of February one thousand nine hundred fifty-two

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1544, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1544, recalled from the Governor.

Mr. FREED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Lent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 570, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Com-



monwealth to pay a part of the compensation payable for certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million six hundred ten thousand dollars (\$1,610,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred fifty-one by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or "The Pennsylvania Occupational Disease Act" approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one thousand nine hundred fifty-one

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 668, as follows:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Be it enacted &c That the judicial districts of the Commonwealth shall be numbered composed designated and shall each have the number of judges respectively as follows

The first district shall be composed of the city and county of Philadelphia and shall have twenty-one judges learned in the law in the common pleas and six judges learned in the law in the orphans' court and such judges of the municipal court as now or may hereafter be provided by law

The second district of the county of Lancaster and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The third district of the county of Northampton and shall have three judges learned in the law

The fourth district of the county of Tioga and shall have one judge learned in the law

The fifth district of the county of Allegheny and shall have sixteen judges learned in the law in the common pleas and three judges learned in the law in the orphans' court and such judges of the county court as now or may hereafter be provided by law

The sixth district of the county of Erie and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The seventh district of the county of Bucks and shall have three judges learned in the law

The eighth district of the county of Northumberland and shall have two judges learned in the law

The ninth district of the county of Cumberland and shall have one judge learned in the law

The tenth district of the county of Westmoreland and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The eleventh district of the county of Luzerne and shall have five judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twelfth district of the county of Dauphin and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The thirteenth district of the county of Greene and shall have one judge learned in the law

The fourteenth district of the county of Fayette and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The fifteenth district of the county of Chester and shall have two judges learned in the law

The sixteenth district of the county of Somerset and shall have one judge learned in the law

The seventeenth district of the counties of Union and Snyder and shall have one judge learned in the law

The eighteenth district of the county of Clarion and shall have one judge learned in the law

The nineteenth district of the county of York and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twentieth district of the county of Huntingdon and shall have one judge learned in the law

The twenty-first district of the county of Schuylkill and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twenty-second district of the county of Wayne and shall have one judge learned in the law

The twenty-third district of the county of Berks and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twenty-fourth district of the county of Blair and shall have one judge learned in the law

The twenty-fifth district of the county of Clinton and shall have one judge learned in the law

The twenty-sixth district of the county of Columbia and shall have one judge learned in the law The county of Montour shall be attached to this district

The twenty-seventh district of the county of Washington and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twenty-eighth district of the county of Venango and shall have one judge learned in the law

The twenty-ninth district of the county of Lycoming and shall have two judges learned in the law

The thirtieth district of the county of Crawford and shall have one judge learned in the law

The thirty-first district of the county of Lehigh and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The thirty-second district of the county of Delaware and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court



The thirty-third district of the county of Armstrong and shall have one judge learned in the law

The thirty-fourth district of the county of Susquehanna and shall have one judge learned in the law

The thirty-fifth district of the county of Mercer and shall have one judge learned in the law

The thirty-sixth district of the county of Beaver and shall have two judges learned in the law

The thirty-seventh district of the county of Warren and shall have one judge learned in the law The county of Forest shall be attached to this district

The thirty-eighth district of the county of Montgomery and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The thirty-ninth district of the county of Franklin and shall have one judge learned in the law

The fortieth district of the county of Indiana and shall have one judge learned in the law

The forty-first district of the counties of Juniata and Perry and shall have one judge learned in the law

The forty-second district of the county of Bradford and shall have one judge learned in the law

The forty-third district of the counties of Monroe and Pike and shall have one judge learned in the law

The forty-fourth district of the counties of Wyoming and Sullivan and shall have one judge learned in the law

The forty-fifth district of the county of Lackawanna and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The forty-sixth district of the county of Clearfield and shall have one judge learned in the law

The forty-seventh district of the county of Cambria and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The forty-eighth district of the county of McKean and shall have one judge learned in the law

The forty-ninth district of the county of Centre and shall have one judge learned in the law

The fiftieth district of the county of Butler and shall have one judge learned in the law

The fifty-first district of the counties of Adams and Fulton and shall have one judge learned in the law

The fifty-second district of the county of Lebanon and shall have one judge learned in the law

The fifty-third district of the county of Lawrence and shall have two judges learned in the law

The fifty-fourth district of the county of Jefferson and shall have one judge learned in the law

The fifty-fifth district of the county of Potter and shall have one judge learned in the law

The fifty-sixth district of the county of Carbon and shall have one judge learned in the law

The fifty-seventh district of the county of Bedford and shall have one judge learned in the law

The fifty-eighth district of the county of Mifflin and shall have one judge learned in the law

The fifty-ninth district of the counties of Cameron and Elk and shall have one judge learned in the law

And in all cases where a county is or shall be attached to a contiguous district the qualified voters of said county shall be entitled to vote for the judge or judges

Section 2 The nomination of judges which the qualified electors of any county are entitled to elect of themselves unconnected with any other county or district shall be made held and conducted and the returns of votes cast at the primary elections for the nomination of such judges shall be made computed canvassed and certified as now or may be hereafter provided by law

Section 3 In all judicial districts at the municipal election next preceding the expiration of the term of any judge now or hereafter commissioned the qualified electors of any county or counties composing such district shall elect a successor to such judge to serve as provided by law

Section 4 In all districts in which by the provisions of this act two or more judges are provided one of said

judges shall be the president judge of said district and the other or others shall be the additional law judge or judges thereof The judge of said districts whose commission shall first expire shall be the president judge thereof except when the president judge has been or shall be reelected in which case he shall continue to be president judge The said additional law judge or judges shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and shall hold his or their office for a like term and by the same tenure and shall have the same powers authority and jurisdiction and shall be subject to the same duties restrictions and penalties as the president judge of said district

Section 5 In all cases where by the provisions of this act a district heretofore consisting of more than one county is divided into two or more districts and in all cases in which counties are transferred from one district to another the judge now in office shall continue to serve until the expiration of his term of office as judge of the district which by this act is given the same number as that of the district in which the said judge has heretofore served At the municipal election next preceding the expiration of the term of office of any such judge the electors of the county or counties composing such district shall elect a judge to serve as provided by law

Section 6 In all districts in which the office of president judge additional law judge or the office of orphans' court judge is created by the provisions of this act the Governor shall appoint a person learned in the law and otherwise legally qualified and commission him as president judge additional law judge or orphans' court judge of such district as the case may be to serve until the first Monday of January one thousand nine hundred fifty-four At the municipal election to be held in the year one thousand nine hundred fifty-three successors to the judges so appointed shall be elected by the proper counties for terms of ten years and shall take office on the first Monday of January one thousand nine hundred fifty-four Where any office of judge has been created at the session of the General Assembly of one thousand nine hundred fifty-one otherwise than by this act such office shall be in addition to those provided for by this act

Section 7 The following acts and parts of acts and all amendments thereof are hereby repealed

(1) The act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 167) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said district"

(2) The act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 200) entitled "An act to provide for an additional law judge of the court of common pleas in the twenty-ninth judicial district"

(3) The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 931) entitled "An act to establish a separate orphans' court in and for the county of Lehigh"

(4) The act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 96) entitled "An act increasing the number of courts of common pleas in the County of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number six and providing for the election and appointment of judges for said court"

(5) The act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 459) entitled "An act increasing the number of courts of common pleas in the County of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number seven and providing for the election and appointment of judges or said court"

(6) The act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 622) entitled "An act to establish a separate orphans' court in and for the County of York"



(7) The act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 792) entitled "An act to establish a separate orphans' court in and for the County of Dauphin"

(8) The act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 897) entitled "An act to provide for an additional law judge of the court of common pleas in the twenty-first judicial district"

(9) The act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 423) entitled "An act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District"

(10) The act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 663) entitled "An act to provide for an additional law judge of the court of common pleas in the twelfth judicial district"

(11) The act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 676) entitled "An act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district"

(12) The act approved the second day of May one thousand nine hundred forty-nine (P. L. 871) entitled "An act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district"

(13) The act approved the second day of May one thousand nine hundred forty-nine (P. L. 895) entitled "An act to provide for an additional law judge of the court of common pleas in the tenth judicial district"

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Nothing in this act shall be construed to repeal or alter the provisions of an act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto nor to repeal or alter any of the provisions of an act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto

Section 8 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelior,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1604, as follows:

An Act regulating the use of machinery powered by internal combustion engines or motors in coal mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The use of machinery powered by an internal combustion engine or motor in any coal mine within this Commonwealth is hereby prohibited provided that the Secretary of Mines may if he is satisfied that it will not be injurious to the health or safety of the employees authorize the use of diesel powered machinery under such reasonable general or special rules and regulations as he may from time to time promulgate

Section 2 Any person who shall violate or cause or permit any of his employees to violate any of the provisions of this act or any general or special rule or regulation promulgated by the Secretary of Mines under the authority of this act shall upon summary conviction before a magistrate be sentenced to pay a fine or one hundred dollars (\$100) and costs of prosecution and in default of the payment thereof sentenced to undergo imprisonment for fifteen (15) days

Each and every day's continuance in the violation of the provisions of this act or any general or special rule or regulation promulgated by the Secretary of Mines under the authority of this act shall be a separate and distinct offense All fines imposed pursuant to this act shall be paid to the Commonwealth through the Department of Revenue

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I call the attention of the gentlemen of the Senate to something which I hope is prophetic. The sponsor of this bill, coming at the last of the calendar, is "Mr. Dunn."

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kenhart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelior,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.



## BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley, and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by providing additional penalties.

House Bill No. 1142, entitled:

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States, to the several states, for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

House Bill No. 1742, entitled:

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

## PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, it appears that the delegation from the west must leave to catch the early morning train, but we do want to wish all the rest of the Members of the Senate and the staff, the newspapermen, the Season's Greetings and say that we hope everyone has the best of health during the next new year.

The PRESIDING OFFICER. The Chair thanks the gentleman from Allegheny and his contingent, and wishes them a Merry Christmas Season.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

## MEMBERS OF THE GREENE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Greene County Board of Assistance:

Carter Andrew (Democrat), Nineveh, until December 31, 1951, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Mabel C. Baily (Republican), Waynesburg, until December 31, 1953, and until her successor is duly appointed and qualified. (Reappointment)

Albert A. Sayers (Republican), Waynesburg, until December 31, 1953, and until his successor is duly appointed and qualified. (Reappointment)

Millard G. Shriver (Republican), Waynesburg, from January 1, 1952, until December 31, 1954, and until his successor is duly appointed and qualified. (Reappointment)

William M. Funk (Republican), Carmichaels, until December 31, 1952, and until his successor is duly appointed and qualified, vice John L. Rice, New Freeport, whose term expired.

Joseph Hartly (Republican), Greensboro, until December 31, 1952, and until his successor is duly appointed and qualified, vice Mrs. Esther F. Bartholomew, Waynesburg, whose term expired.

J. E. Bissett (Republican), Deep Valley, until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

(The Senate was at ease.)

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

## MEMBERS OF THE GREENE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Greene County Board of Assistance:

Carter Andrew (Democrat), Nineveh, until December 31, 1951, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Mabel C. Baily (Republican), Waynesburg, until December 31, 1953, and until her successor is duly appointed and qualified. (Reappointment)

Albert A. Sayers (Republican), Waynesburg, until December 31, 1953, and until his successor is duly appointed and qualified. (Reappointment)

Millard G. Shriver (Republican), Waynesburg, from January 1, 1952, until December 31, 1954, and until his successor is duly appointed and qualified. (Reappointment)

William M. Funk (Republican), Carmichaels, until December 31, 1952, and until his successor is duly appointed and qualified, vice John L. Rice, New Freeport, whose term expired.

Joseph Hartly (Republican), Greensboro, until December 31, 1952, and until his successor is duly appointed and qualified, vice Mrs. Esther F. Bartholomew, Waynesburg, whose term expired.

J. E. Bissett (Republican), Deep Valley, until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations just reported.

## EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which were agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. DIEHM, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bano,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Peckan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. KESSLER. Mr. President, I second the motion.

The motion was agreed to.

## HOUSE MESSAGES

## HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 187

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 187, entitled:

An Act to fix the salaries, and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.

## HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 219

He also informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

## HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 570 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

## HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 668 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 668, entitled:



An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both House of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.

Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Senate Bill No. 666, entitled:

An Act to further amend clause (a) of Section 503 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions,

every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear and determine certain petitions for refunds; by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions.

Senate Bill No. 668, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

House Bill No. 772, entitled:

An Act to amend the act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30) entitled, "Public School Code of 1949," by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction, and the care, training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children; and making an appropriation

House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration," by providing, by rule of court, for the arbitration of certain suits at issue and prescribing the procedure; the appointment and compensation of arbitration and the payment of fees and costs in such cases.

Senate Bill No. 889, entitled:

An Act to further amend Section 3704 of the act, approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by further providing for fixing compensation to certain officers and employees.

House Bill No. 1324, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the registration year for commercial motor vehicles, motor buses, motor omnibuses, and trailers, and certain exemptions in accordance therewith.

House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealer-users and wholesalers to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to



file reports and to compile and retain certain records; requiring registration of vehicles, dealers, and carriers for hire; imposing duties on such persons; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees and providing penalties.

House Bill No. 1604, entitled:

An Act prohibiting the use of diesel powered locomotives, pumps, or other machinery or other locomotives, pumps, or machinery powered by internal combustion engines or motors in coal mines.

House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

#### REPORT OF THE CHIEF CLERK ON COMPARING BILLS

Mr. WALKER. Mr. President, on behalf of the Chief Clerk, I desire to submit the Chief Clerk's report of having compared and found correct the bills numbered and entitled as follows, as having passed both branches of the Legislature and signed by the presiding officers thereof:

Senate Bill No. 2, entitled:

An Act making an appropriation to the General Assembly for the payment of expenses of its Inaugural Committee.

Senate Bill No. 3, entitled:

An Act to further amend the act approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled "An act relating to officers and employes of the General Assembly; fixing the number qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by changing the compensation of certain officers and employes and of the Director of the Legislative Reference Bureau; and making appropriations.

Senate Bill No. 4, entitled:

An Act to reenact in part and to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county board of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating elections, authorizing and providing a procedure for the voting of qualified electors serving in the armed forces or Merchant Marine of the United States or in organizations attached

to or serving with such forces or any qualified bedridden or hospitalized veterans; imposing additional duties upon the various county boards of elections, and election officers, chairman of political parties, or committees, and officers and employes of certain political subdivisions; placing costs upon the Commonwealth, authorizing appropriations by cities of the first class and counties; further regulating the last day for filing nomination petitions and nomination papers, the withdrawal of nominated candidates, the payment of fees by persons nominated at primary elections, the filing substitute nomination certificates to fill vacancies caused by the withdrawal of candidates, and the date of the primary election.

Senate Bill No. 5, entitled:

An Act to amend the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," redefining certain words, providing the manner in which oaths of fiduciaries may be taken, prescribing the advertisement of grant of letters, clarifying the time in which accounts must be filed and the circumstances under which distribution can be made without liability to claimants who have not given notice of their claims and further defining the powers of foreign fiduciaries.

Senate Bill No. 6, entitled:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the common pleas court relating to incompetents' estates.

Senate Bill No. 7, entitled:

An Act authorizing cities to establish and maintain common trust funds for the investment and reinvestment of the moneys of charitable uses or trusts, the charge or administration of which has been committed to their care, or of the estates of minors of which they may be guardians, providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

Senate Bill No. 11, entitled:

An Act to amend subsection (a) of Section 9 of the act, approved the twenty-sixth day of May, one thousand nine



hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies.

Senate Bill No. 12, entitled:

An Act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores; for the payment of certain license fees to the respective municipalities and townships; for the abatement of certain nuisances; and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures providing for local option and repealing existing laws.

Senate Bill No. 16, entitled:

An Act to further amend clauses six seven twenty and twenty-three of Section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and reg-

ulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots

Senate Bill No. 17, entitled:

An Act relating to the jurisdiction powers and duties of registers of wills and regulating proceedings before them and the costs thereof the effects of their acts and appeals therefrom.

Senate Bill No. 18, entitled:

An Act to amend Section 5 of the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation, and providing penalties," by extending the time during which applications may be filed for veterans' compensation.

Senate Bill No. 25, entitled:

An Act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom

Senate Bill No. 27, entitled:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employes including teachers and other employes of the public school system and officers and employes of State-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employes prohibiting appointment or employment and requiring discharges after hearing in certain cases Imposing conditions on the payment of appropriations to State-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on State and local appointing authorities and certain other State officers.

Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending certain benefits heretofore granted to school employes entertaining the armed forces of the United States to certain other similarly qualified school employes.

Senate Bill No. 47, entitled:

An Act to amend clause (i) of section one thousand four hundred and one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating



and changing the law relating thereto" by providing for the purchase of and payment for policies of insurance on commission property.

Senate Bill No. 48, entitled:

An Act to amend Section 3 of the act, approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 137), entitled "An act providing for the appointment, powers and control of members of volunteer fire companies as special fire police, and conferring powers on them at fires attended by their fire companies in any city, borough, town and township," by correcting the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

Senate Bill No. 50, entitled:

An Act authorizing and directing the Department of Property and Supplies to convey to Harrisburg Hospital, certain real estate located in the City of Harrisburg, County of Dauphin, and heretofore granted by John Harris and Mary Harris, his wife, to certain Commissioners in trust for public use forever.

Senate Bill No. 52, entitled:

An Act to amend Section 24 of the act, approved the eighteenth day of May, one thousand nine hundred forty-nine (P. L. 1440), entitled "An act concerning notaries public and amending, revising, consolidating and changing the law relating thereto," by permitting stockholders of banks, banking institutions and trust companies to act as notary public for such banks, institutions and companies; and validating prior acts.

Senate Bill No. 54, entitled:

An Act to provide for an additional law judge of the court of common pleas in the seventh judicial district.

Senate Bill No. 61, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania, at Doylestown, Pennsylvania.

Senate Bill No. 67, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section abolishing county offices in Philadelphia and providing for the performance of county functions by the city of Philadelphia.

Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts hereto entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district.

Senate Bill No. 77, entitled:

An Act to further amend Section 319 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by providing for the proration of attorney's fees and expenses in subrogation cases.

Senate Bill No. 80, entitled:

An Act to further amend the title and to amend Section 1 of the act approved the twenty-seventh day of May one thousand eight hundred ninety-three (P. L. 171) entitled

as amended "An act providing for the acquisition of land and the erection equipment management and operation of the Pennsylvania Soldiers Orphans' School the maintenance of children admitted thereto and regulating the admissions to and discharges from the said Pennsylvania Soldier Orphans' School" by changing the name of the Pennsylvania Soldiers Orphans' Industrial School.

Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphans School; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldiers' Orphan School.

Senate Bill No. 82, entitled:

An Act to further amend Sections 202 401 and 1311 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Soldiers' Orphan School

Senate Bill No. 94, entitled:

An Act to amend Section 2 of the act approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," by empowering deputy recorders of deeds to take acknowledgments, and validating acknowledgments heretofore taken by such officers.

Senate Bill No. 96, entitled:

An Act validating certain deeds and conveyances made by trustees without setting forth the authority to convey.

Senate Bill No. 99, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land situate in the township of Donegal, Washington County, Pennsylvania, with the approval of the Governor.

Senate Bill No. 103, entitled:

An Act to reenact and amend the title and Section 4 of the act approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies, as defined, to aid



redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency, parks, playgrounds, streets and other improvements and facilities; and by donating or lending money and making appropriations therefor; by accepting payments and exercising certain other powers and duties," by confirming authorization heretofore granted to the Commonwealth and State public bodies, to dedicate, sell, convey or lease any of its property to a redevelopment authority; and by providing for the execution of instruments therefor on behalf of the Commonwealth; and validating dedications, sales, conveyances and leases heretofore made.

Senate Bill No. 104, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases; authorizing the criminal courts to impose such a sentence and certain temporary confinement in connection therewith, requiring psychiatric examinations of such persons before the imposition of such a sentence, conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole, and providing for the parole, and reparole or absolute discharge of persons so sentenced and the procedure relating thereto.

Senate Bill No. 110, entitled:

An Act to facilitate traffic in the northern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike from or near the City of Erie in Erie County to or near the City of Scranton in Lackawanna County conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike and to issue notes or other evidences of indebtedness providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other evidences of indebtedness and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other evidences of indebtedness exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds.

Senate Bill No. 111, entitled:

An Act to further amend Section 1 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" by increasing the compensation to be received by jurors.

Senate Bill No. 112, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to sell a tract of land situate in Coolbaugh Township, Monroe

County and owned by the Commonwealth to the United States of America for the use in the military defense of the United States of America; authorizing the conveyance of such land by deed without warranty and defining the method of execution of such deed.

Senate Bill No. 113, entitled:

An Act to amend subsection (i) of section 4 of the Act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An Act to promote the welfare of the people of the Commonwealth, creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor

Senate Bill No. 119, entitled

An Act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class.

Senate Bill No. 121, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates.

Senate Bill No. 122, entitled:

An Act to further amend paragraph (8) of subsection A and subsection B of section 1208, section 1209, and subsection C of section 1210 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of



fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments and limitations on loans and discounts of savings banks.

Senate Bill No. 123, entitled:

An Act to re-enact, amend, and revise the title and the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 796), entitled "An act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations," by extending the provisions thereof to national banking associations; making photostatic film reproductions, or photographic or photostatic copies of original records admissible in evidence equally and with the same force and effect as such original records; providing a means for the final adjustment and settlement of depositors' accounts, and saving certain parts of acts from repeal.

Senate Bill No. 124, entitled:

An Act to further amend subsection A of Section 1006 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking association or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations upon powers of banks and banks and trust companies

Senate Bill No. 125, entitled:

An Act to further amend subsection E of section nine hundred eight of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and the of officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts

prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business.

Senate Bill No. 126, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating insurance companies associations and inter-insurance exchanges and their powers investments policy provisions joint policies premium tax returns and the licensing of foreign companies and repealing existing law.

Senate Bill No. 127, entitled:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing process providing penalties for any violations of the act the Insurance Commissioner as attorney for service of exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund obligations regulating reserves and contributions for benefits

Senate Bill No. 128, entitled:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries



## Senate Bill No. 134, entitled:

An Act to amend further Section 5 of the Act approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways and bridges," as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

## Senate Bill No. 136, entitled:

An Act to amend Clause (8) of Section 6 and Section 9 of the act approved the eleventh day of May, one thousand nine hundred forty-nine, (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges," by limiting the amount of an individual policy issued to a person entitled thereto; and changing the premium basis and rate of interest thereon.

## Senate Bill No. 139, entitled:

An Act to amend the title and Section 5 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-nine (P. L. 134), entitled "An act relating to fireworks; defining fireworks; prohibiting the sale, offering or exposing for sale and use of fireworks, except in certain cases; authorizing cities, boroughs, towns and townships to issue permits for fireworks displays, and to regulate the same; imposing duties on the Pennsylvania Motor Police, sheriffs, police officers and constables; and providing penalties," by correcting the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

## Senate Bill No. 140, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus; and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating investments of insurance companies.

## Senate Bill No. 141, entitled:

An Act authorizing the Secretary of Highways to lay out open construct and maintain a road to be a part of the system of State Highways in Bucks County

## Senate Bill No. 151, entitled:

An Act to further amend subsection (a) of section 1403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable

to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for ten days notice to the Department of Revenue of the transfer in bulk of fifty-one per centum or more of certain personalty, buildings or real estate and further prescribing the duties and liabilities of the respective parties as to taxes owing to the Commonwealth

## Senate Bill No. 152, entitled:

An Act to amend Sections 15 and 17 of the act approved the twenty-second day of April one thousand nine hundred forty-nine (P. L. 715) entitled "An act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation proceedings on certain courts of common pleas authorizing the Secretary of Highways to enter into agreements with a state authority or agency for the acquisition of such toll bridges providing for the operation of such bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation" by authorizing the Secretary of Highways to procure and pay for certain insurance for bridges acquired under the provisions of said act and providing for the assignment of route numbers to such bridges

## Senate Bill No. 153, entitled:

An Act to amend Section 209 of Article II of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the Orphans' Court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court

## Senate Bill No. 162, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

## Senate Bill No. 168, entitled:

An Act to amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first



and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts, and repealing existing laws," by further regulating the sales made upon order of court, and extending the time limit when certain properties must be sold.

Senate Bill No. 169, entitled:

An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P.L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by further regulating the giving of notice of sale, the effect of failing to give notice as required by the act, and the bureau's return of sale to court for confirmation.

Senate Bill No. 170, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" authorizing bank holidays in the event of public calamities and permitting banking institutions at their option to engage in banking transactions on certain holidays.

Senate Bill No. 171, entitled:

An Act to further amend subsection B of section one thousand one hundred nine of the act approved the

fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitation on powers of corporations authorized to engage in a banking or fiduciary business.

Senate Bill No. 172, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State, providing for judicial review of regulations; requiring all appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are affected.

Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judge of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.

Senate Bill No. 188, entitled:

An Act to amend Section 1 of the act approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by increasing the number of judges of the Municipal Court of Philadelphia.

Senate Bill No. 190, entitled:

An Act relating to the change of corporate names of churches or religious corporations as a result of the union, merger or consolidation of the national or international church body of which such corporation is affiliate, subsidiary or component part; providing for the filing of a certificate of change of name by such corporations with the Department of State and the recording thereof in the county of incorporation and the effect thereof.



## Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act, approved the tenth day of March, one thousand nine hundred forty nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the change of the fiscal year by districts of the second class.

## Senate Bill No. 194, entitled:

An Act to further amend clause (k) of subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles tractors street cars trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by including combinations of certain organizations within exemption from fees.

## Senate Bill No. 199, entitled:

An Act to further amend Subsection A of Section 201 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the names of bank and trust companies.

## Senate Bill No. 201, entitled:

An Act to amend Section 1705 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of Building and Loan or Federal Savings

and Loan Association insured by the Federal Savings and Loan Insurance Corporation.

## Senate Bill No. 202, entitled:

An Act to further amend Section 403 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159) entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of building and loan or Federal Savings and loan associations insured by the Federal Savings and Loan Insurance Corporation.

## Senate Bill No. 209, entitled:

An Act to further amend Section 1 of the act approved the eleventh day of June one thousand eight hundred seventy-nine (P. L. 147) entitled "An act fixing the compensation of persons called to serve as coroner's jurors in this Commonwealth" by increasing the compensation of coroner's jurors

## Senate Bill No. 211, entitled:

A Joint Resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania, permitting county treasurers to hold successive terms.

## Senate Bill No. 212, entitled:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all power now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties" as heretofore amended to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River including approach highways the financing thereof and the fixing charging and collecting of tolls for the use of such bridges.

## Senate Bill No. 215, entitled:

An Act to further amend Section 30 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating



to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by increasing the legal size of pickerel that may be taken from inland waters

Senate Bill No 216, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Reed Dauphin County, Pennsylvania with the approval of the Governor.

Senate Bill No. 217, entitled:

An Act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the States in fish restoration and management projects and for other purposes" approved August ninth one thousand nine hundred and fifty and conferring certain powers and duties on the Pennsylvania Fish Commission

Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of the Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and the political subdivision under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employes contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

Senate Bill No. 230, entitled:

An Act to amend section one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising, consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence for professional employes.

Senate Bill No. 236, entitled:

An Act to further amend subsection (a) of Section 722 of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth providing for the titling, including, liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by including Philippine Pacific War Veterans, Navy Club of the United States, and the United States Army Ambulance Corps among the organizations exempt from payment of registration fees of vehicles used by such organizations.

Senate Bill No. 237, entitled:

An Act to amend Section 714 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by further regulating the possession and transportation of big game.

Senate Bill No. 239, entitled:

An Act to further amend Section 412 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for audits of accounts of expenditures of organizations of the National Guard by controllers or auditors of counties.

Senate Bill No. 240, entitled:

An Act to further amend clause 35 of Section 2403 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing for audit of accounts of expenditures of organization of the National Guard by controllers of cities of the third class.

Senate Bill No. 241, entitled:

An Act to amend Section 2 of the act, approved the tenth day of March, one thousand nine hundred thirty-seven (P. L. 39), entitled "An act authorizing cities of the first class, second class, and second class A to make appropriations for the support, maintenance, discipline, and training of units of the National Guard; providing for the paying over expenditure, and accounting for of such appropriations; and repealing existing laws," by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the first class, second class and second class A.

Senate Bill No. 242, entitled:

An Act to amend the act, approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624), entitled as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes mutual banking associations or private bankers, or of affiliated corporations, associations, or persons restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for establishment of branch offices, agencies and facilities and the approval thereof by the Department of Banking.

Senate Bill No. 243, entitled:

An Act validating certain deeds bonds and mortgages and trust indentures executed and delivered by non-



profit corporations unless the validity thereof is raised by legal proceedings within a prescribed period of time.

Senate Bill No. 244, entitled:

An Act to further amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by redefining pension annuity contract vesting certain [equities benefits dividends or] rights under pension annuity contracts in the municipality or in the policemen [or their dependents] providing for deductions to defray expenses for auditing providing for return of funds if not used within a certain time by the various political subdivisions

Senate Bill No. 247, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

Senate Bill No. 249, entitled:

An Act to amend subsection (a) of section 411 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulations of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercises, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contracts carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations companies and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on the public utilities to sustain their rate and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission powers to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connections with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon

persons, associations companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violation of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction, reconstruction, repair and maintenance of certain bridges and viaducts.

Senate Bill No. 258, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Senate Bill No. 264, entitled

An Act to amend Section 1412 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by setting forth the duties of the Deputy Adjutant General in Charge of Veteran Affairs.

Senate Bill No. 265, entitled:

An Act to amend clause (a) of section one thousand one hundred seventy-six of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for military leaves for employees of school districts.

Senate Bill No. 273, entitled:

An Act to amend Subsection (d) of Section 4 and Section 11 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authoriz-



ing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by authorizing the leasing of certain projects upon their being opened to public use

Senate Bill No. 276, entitled:

An Act to amend Subsection C of Section 315 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by the act imposing penalties and repealing certain acts and parts of act relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the orphans' court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court.

Senate Bill No. 282, entitled:

An Act to further amend Section 620 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by increasing the maximum amount to be set aside as reserve for contingent losses.

Senate Bill No. 283, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

Senate Bill No. 284, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades, for maintenance.

Senate Bill No. 286, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania and prescribing certain conditions

upon which the appropriation will be available to the school.

Senate Bill No. 289, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Senate Bill No. 296, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by changing the provisions as to fees charged apprentices and students and as to the powers of municipalities and transferring the administration of several provisions of this act to the State Board of Barber Examiners

Senate Bill No. 297, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

Senate Bill No. 303, entitled:

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration

Senate Bill No. 304, entitled:

An Act authorizing, in certain cases, the renewal of motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same.

Senate Bill No. 305, entitled:

An Act to facilitate traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Eastern Extension of the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of



Pennsylvania and the State of New Jersey and authorizing the Pennsylvania Turnpike Commission to construct operate and maintain either alone or in conjunction with the New Jersey Turnpike Authority or to contract with the New Jersey Turnpike Authority for the construction operation and maintenance of a bridge across the Delaware River or to acquire the use of a bridge heretofore or hereafter constructed for the further extension of the Pennsylvania Turnpike System and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose to pay the cost of such turnpike and bridge providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

Senate Bill No. 306, entitled:

An Act to further amend section 1 and to amend section 5 of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employees thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" by increasing per diem wage of members of the board allowing such members maintenance and traveling expenses permitting hearings at such places within the Commonwealth as the board shall determine.

Senate Bill No. 318, entitled:

An Act authorizing counties of the second class to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

Senate Bill No. 319, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes," by providing for the method of valuation of taxable shares of stock in any regulated investment company.

Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and con-

solidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies by the State Workmen's Insurance Fund providing penalties and existing laws" by further defining and regulating group accident and health insurance.

Senate Bill No. 325, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to sell and convey certain tracts of land used in connection with the Harrisburg State Hospital.

Senate Bill No. 329, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by directing the Department of Revenue to authorize local agents, which may be county officers, to issue motor boat licenses.

Senate Bill No. 338, entitled:

An Act to amend clause (1) of subsection A of Section 1412 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by revising the procedure for the conversion of banks and bank and trust companies into national banks

Senate Bill No. 339, entitled:

An Act to amend section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors



trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the effect of merger or consolidation of banking institutions.

Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies.

Senate Bill No. 342, entitled:

An Act to further amend Section 4 of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware.

Senate Bill No. 343, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending service allowance of certain employes

Senate Bill No. 344, entitled:

An Act making an appropriation to the Department of Health for the use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people, as well as family groups, industrial workers and others.

Senate Bill No. 350, entitled:

An Act to further amend clause two of section 1709 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," authorizing an annual tax for the purchase and maintenance of fire apparatus and suitable place for the maintenance thereof.

Senate Bill No. 357, entitled:

An Act to reenact revise and amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto."

Senate Bill No. 360, entitled:

An Act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of Common Pleas; prescribing venue defining procedure in all cases; authorizing service to be made upon persons anywhere in the Commonwealth; providing for the imposition of costs allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation including that conferring jurisdiction on courts of Quarter Sessions.

Senate Bill No. 362, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by authorizing the payment of additional compensation to subordinate assessors by the boroughs, townships and school districts in which he makes assessments.

Senate Bill No. 365, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 346), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger of consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, provided the state of



incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby by agent to accept service of process in cases arising out of acts further providing for advertising of merger or consolidation by domestic corporations for merger and consolidation of foreign business corporations defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations and prescribing procedure for rescinding a certificate of election to dissolve.

**Senate Bill No. 366, entitled:**

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by extending non-resident fishing privileges to Canadians and redefining resident.

**Senate Bill No. 374, entitled:**

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating health and accident insurance.

**Senate Bill No. 379, entitled:**

An Act to add section 4.1 to the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," by further regulating county libraries, permitting cities, boroughs, towns and townships to withdraw from county library districts and payment of county library tax.

**Senate Bill No. 380, entitled:**

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all

estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act

**Senate Bill No. 381, entitled:**

An Act to further amend Section 1146 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by establishing minimum salaries for leaders and directors of general extension education schools and classes revising minimum salaries for teachers and supervisors employed in such programs and prescribing teacher and leader loads in certain cases

**Senate Bill No. 394, entitled:**

An Act to further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped, and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartoons, or securely wrapped.

**Senate Bill No. 399, entitled:**

An Act to amend Section 11.1 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association.

**Senate Bill No. 400, entitled:**

An Act to amend Section 12.1 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the use and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards



having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor, who ceases to be a public school employee, and becomes a State employee and a member of the State Employees' Retirement Association.

Senate Bill No. 405, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital to acquire a certain tract of land with the building thereon adjacent thereto for the use of said hospital and making an appropriation therefor

Senate Bill No. 406, entitled:

An Act to further amend Section 305 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. Laws 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for the erection and alteration of institutions and further prescribing the powers of the Department of Welfare

Senate Bill No. 407, entitled:

An Act to further amend the title and section one of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled as amended "An act providing that in all counties of the first, second, third, fourth, fifth and sixth class, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," as amended, extending the provisions of the said act to all counties, and further defining publications excepted from its operation.

Senate Bill No. 416, entitled:

An Act to amend Section 704 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth, conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing

certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and clarifying the provisions with respect to payment of dividends from paid-in surplus.

Senate Bill No. 418, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting corporations to borrow money; acquire and dispose of real estate, and make, alter, amend, and repeal bylaws with the approval of a majority of the members present and entitled to vote thereon; permitting a change or registered office pursuant to action of directors; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of members at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the members of different classes; defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations.

Senate Bill No. 425, entitled:

An Act to further amend section four hundred eleven of the act, approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by changing the shooting restrictions on regulated shooting grounds.

Senate Bill No. 426, entitled:

An Act to amend section seven hundred twenty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by changing the period for retriever trials.

Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons, and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Depart-



ment of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by increasing pensions for the blind.

Senate Bill No. 432, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for nominations and elections of county officers in counties about to undergo a change in classification, and imposing certain duties upon county commissioners, county boards of elections, and others.

Senate Bill No. 433, entitled:

An Act to further amend sections thirty-one and thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by reclassifying counties of the sixth and seventh classes and providing for elections pursuant to changes of classification by counties.

Senate Bill No. 441, entitled:

An Act to add Sections 602.1 and 705.1 to further amend Section 802 to add Sections 804.1 and 901.1 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing that substitutes may hold positions only until employees on military leave return relating to rights of transferred reassigned or promoted employees during probationary periods and providing for employee audits from time to time.

Senate Bill No. 452, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and confer-

ring exclusive jurisdiction on certain courts over rates," by empowering Authorities to acquire by eminent domain certain capital stock of corporations of this Commonwealth owning projects in the event the Authority already owns ninety per cent or more of such stock and by providing a procedure therefor.

Senate Bill No. 453, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads at State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes in Westmoreland County.

Senate Bill No. 455, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Senate Bill No. 456, entitled:

An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" and "Municipality" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations.

Senate Bill No. 547, entitled:

An Act to add clause (m) to Section 108 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by including tuberculosis within the meaning of the term occupational disease in the case of nurses in hospitals and sanitarium.

Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.



Senate Bill No. 464, entitled:

An Act to add Section 17.1 to the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the amendment of articles of incorporation and providing for fees.

Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

Senate Bill No. 477, entitled:

An Act to amend Article X of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the appointment and removal of technical personnel their qualifications term of office duties, salary and method of filling vacancies.

Senate Bill No. 479, entitled:

An Act to add subsection (e) to section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for an open season for hunting deer with bows and arrows requiring a special license therefor and fixing fees

Senate Bill No. 481, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining

"antique motor vehicle" and authorizing the operation of such vehicles with limitations as to use of lighting equipment in certain cases.

Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.

Senate Bill No. 490, entitled:

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Practice of Dentistry"

Senate Bill No. 496, entitled:

An Act authorizing the Department of Highways to erect and construct a bridge on Race Street between Sixth and Broad Avenues over certain railroad tracks in the City of Altoona, empowering the Public Utility Commission to fix and determine the proportionate shares of the cost and maintenance thereof, including compensation for damages to adjacent land owners; and making an appropriation.

Senate Bill No. 499, entitled:

An Act to add Section 15.1 to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by providing for optional minimum retirement allowances under certain conditions.

Senate Bill No. 500, entitled:

An Act to further amend the title of and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled, as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates, or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class, for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.



## Senate Bill No. 501, entitled:

An Act to further amend the title of and the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled as amended "An act defining and providing for the licensing and regulation of private academic schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" by exempting therefrom schools for the blind deaf and dumb receiving State appropriations and certain other private schools.

## Senate Bill No. 502, entitled:

An Act to amend the title and section 1 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for non-payments to municipal authorities organized by cities of the third class.

## Senate Bill No. 503, entitled:

An Act to amend the title and Section 1 of the act, approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals rates, or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by extending to any municipal authority organized by any city of the third class the powers granted therein.

## Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class; for sewer, sewerage and sewage treatment services; to grant convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges, heretofore made," by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer, sewerage and sewage treatment services.

## Senate Bill No. 505, entitled:

An Act to further amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by authorizing leasing of school buildings prior to completion authorizing the issuance of bonds pursuant to resolutions or trust indentures and permitting certain moneys to be set aside for the benefit of particular bonds limiting powers of Commonwealth to alter the provisions relating to security of the Authority and bondholders

## Senate Bill No. 508, entitled:

An Act to amend Sections 1 and 2 of the act approved the eighteenth day of April one thousand nine hundred forty-five (P. L. 253, No. 114) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law requiring security for defendant's expenses including attorneys' fees and providing for the assessment and recovery of such expenses including attorneys' fees" by extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

## Senate Bill No. 510, entitled:

An Act to amend Section 4 of the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled, as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish and maintain a public museum and park, as the Drake Well Memorial, under the control and supervision of the Pennsylvania Historical Commission, in cooperation with the Department of Forests and Waters, and an advisory board to be appointed by the American Petroleum Institute; prescribing the powers and duties of the Commission relative to said memorial; authorizing the employment of certain assistants and employes, and for the payment of their salaries; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation," by further providing for the acceptance of gifts of money and securities by the Drake Well Memorial Advisory Board.

## Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.



## Senate Bill No. 525, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith," by providing for the regression in classification of cities upon their decrease in population.

## Senate Bill No. 526, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further regulating the withdrawals of certain optional payment shares providing that accounts of less than a certain amount need not be credited with dividends further regulating the terms of mortgage contracts and the terms of bonds securing mortgages and the types of property upon which mortgages may be taken.

## Senate Bill No. 527, entitled:

An Act to amend clause (h) of section one hundred two clauses (c) and (f) of section two hundred two clause (c) of section two hundred five clauses (a) (b) (c) (d) (e) and (f) of section two hundred ten section three hundred six clause (c) of section five hundred two and clause (g) of section two hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the finding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by clarifying and correcting the provisions of said sections and setting forth provisions and requirements for contesting the validity of any election proceedings under section two hundred five.

## Senate Bill No. 533, entitled:

An Act concerning contributions among joint tortfeasors and release of tortfeasors defining the rights and duties of contribution in such cases making uniform the law with reference thereto and repealing inconsistent legislation

## Senate Bill No. 535, entitled:

An Act to amend Section 784 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the authority of school districts to lease property from the State Public School Building Authority.

## Senate Bill No. 544, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

## Senate Bill No. 545, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

## Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans, soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

## Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-one.

## Senate Bill No. 550, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

## Senate Bill No. 551, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

## Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

## Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School, situate in Delaware County, Pennsylvania.

## Senate Bill No. 556, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

## Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

## Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

## Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."



## Senate Bill No. 563, entitled:

An Act making an appropriation to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

## Senate Bill No. 564, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

## Senate Bill No. 565, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

## Senate Bill No. 567, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

## Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

## Senate Bill No. 571, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

## Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

## Senate Bill No. 573, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

## Senate Bill No. 575, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

## Senate Bill No. 576, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund.

## Senate Bill No. 577, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

## Senate Bill No. 578, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

## Senate Bill No. 579, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

## Senate Bill No. 586, entitled:

An Act relating to the administration without the appointment of a guardian, of estates valued at one thousand dollars or less, of weak minded persons, drug addicts, and inebriates; and providing a procedure therefor.

## Senate Bill No. 591, entitled:

An Act to amend subsection (e) of Section 2 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by permitting members and employees of the board to hold other offices or positions or engage in certain businesses.

## Senate Bill No. 592, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I II IV XI and XII of and adding a new article to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners removing the present Pennsylvania members of the commission extending the jurisdiction powers and duties of the Delaware River Port Authority and defining such additional jurisdiction powers and duties to take effect upon the



enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto

Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor.

Senate Bill No. 604, entitled:

An Act authorizing the conversion into mutual life insurance companies of certain fraternal beneficial societies, orders or associations or certain fraternal benefit societies incorporated under the laws of this Commonwealth; outlining the procedure; and defining the rights of dissenting certificate holders.

Senate Bill No. 610, entitled:

An Act authorizing and directing the Department of Property and Supplies to convey to the City of Pittsburgh all right title and interest of the Commonwealth to a certain street situate within the City of Pittsburgh without any liability for damages occasioned by the closing or vacating of such street by the City of Pittsburgh.

Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation.

Senate Bill No. 613, entitled:

An Act authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a compact or agreement with the State of New Jersey authorizing the Pennsylvania Turnpike Commissions and the New Jersey Turnpike Authority to select a location for a bridge across the Delaware River and acting alone or in conjunction with each other to construct finance operate and maintain such bridge including the power to fix and collect tolls and authorizing the Governor to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent thereto

Senate Bill No. 615, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways, of this commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for re-

funds;" by increasing annual registration fees for certain commercial motor vehicles, truck tractors, trailers and semi-trailers; prescribing additional equipment requirements for certain vehicles; increasing the maximum gross weights and axle loads allowed for certain vehicles; changing the requirements for weighing vehicles and removal of excess loads; and prescribing and changing penalties.

Senate Bill No. 618, entitled:

An Act to amend Sections 515 and 525 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways, and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by changing the provisions governing openings in the surface of highways in boroughs, incorporated towns and cities.

Senate Bill No. 631, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

Senate Bill No. 632, entitled:

An Act making an appropriation of moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Senate Bill No. 636, entitled:

An Act to amend subsection (a) of Section 9 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," authorizing investments in common stock and similar securities of unincorporated associations meeting certain qualifications; and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies.

Senate Bill No. 638, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred and nine (P. L. 408) as amended entitled "An act authorizing the merger and consolidation of certain corporations" by permitting the merger or consolidation of certain domestic corporations or the merger or consolidation of certain foreign and domestic corporations prescribing the procedure for and the effect of a merger or consolidation providing for payment of certain fees taxes and bonus and defining the rights powers and privileges of dissenting stockholders and of the surviving corporation in the case of a merger and of the new corporation in the case of a consolidation.

Senate Bill No. 643, entitled:

An Act to further amend Section 1 of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" by authorizing the conveyance of his or her interest by one tenant by the entireties alone to the other and validating such conveyance heretofore made

Senate Bill No. 644, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April, one thousand nine hundred



twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for distribution of copies of audits made by the Department of Auditor General.

Senate Bill No. 646, entitled:

An Act to amend the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of the members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," by providing for the determination by the board of revision of taxes of appeals from personal property assessments subsequent to the time prescribed for such appeals in certain cases.

Senate Bill No. 647, entitled:

An Act to further amend Section 429 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by increasing the salaries of the members of the Pennsylvania Securities Commission.

Senate Bill No. 652, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing credit for retirement purposes for out-of-state service in certain cases.

Senate Bill No. 653, entitled:

An Act to further amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by providing for a uniform permanent record system in the boards for the assessment and revision of taxes; providing for a committee to prepare such system; and conferring powers and imposing duties upon the boards for the assessment and revision of taxes, the chairman of the Local Government Commission and chief assessors.

Senate Bill No. 654, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing for the collection and distribution of said taxes by the bureau; further regulating the sale of properties turned over to



the bureau by county commissioners and taxing districts, and of properties purchased at tax sales by county commissioners under the provisions of said act; imposing certain costs upon the taxing districts, and further providing for the execution of deeds.

**Senate Bill No. 655, entitled:**

An Act to further amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees providing for their compensation payable by such counties; prescribing certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and changing procedure on appeals to court.

**Senate Bill No. 656, entitled:**

An Act to amend section 401 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by changing the provisions relating to the appointment of chief assessors requiring that the chief assessor devote the major portion of his time to his office providing for examinations for chief assessors and creating a committee to prepare and supervise such examinations

**Senate Bill No. 658, entitled:**

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

**Senate Bill No. 666, entitled:**

An Act to further amend clause (a) of Section 503 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; provid-

ing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear and determine certain petitions for refund; by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions.

**Senate Bill No. 667, entitled:**

An Act to amend subsection (c) of Section 2 of the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation," by increasing the compensation of the members of board.

**Senate Bill No. 668, entitled:**

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

**Senate Bill No. 672, entitled:**

An Act to amend the title and the act approved the twelfth day of July, one thousand nine hundred thirty-five (P. L. 708), entitled "An act empowering the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Pennsylvania Industrial School to grant a right of way or easement to the Penn Central Light and Power Company across lands of the Pennsylvania Industrial School, on certain conditions," by releasing right of way over west end of Cypress Island for similar right of way on east end of Cypress Island on certain conditions.

**Senate Bill No. 675, entitled:**

An Act to further amend the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county offices" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2786) by increasing the maximum amount of fees that certain county officers may retain before being required to pay over half the excess to the county treasurer.



## Senate Bill No. 676, entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers.

## Senate Bill No. 677, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973), entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers.

## Senate Bill No. 678, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1411) by increasing the salaries of certain county officers.

## Senate Bill No. 679, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers.

## Senate Bill No. 680, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers.

## Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers.

## Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers.

## Senate Bill No. 684, entitled:

An Act to further amend Section 7 of the act, approved the eleventh day of May, one thousand nine hundred twenty-five (P. L. 561), entitled "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualification of such jurors; providing for the organization of a commission for the selection of jurors in such counties, and prescribing its powers and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters equipment and supplies; authorizing the employment of the necessary clerks and other employees, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employees; requiring

county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," by further regulating the selection of jurors in counties of the second class.

## Senate Bill No. 685, entitled:

An Act to amend the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (Appropriation Acts, page 49), entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of flood control and steam channel work in McKean, Potter and Tioga counties, made necessary by floods of July, one thousand nine hundred forty-two, May, one thousand nine hundred forty-six, and April, one thousand nine hundred forty-eight, and of carrying out the provisions of existing laws relating thereto," by extending the purposes of the appropriation to cover all flood damage.

## Senate Bill No. 688, entitled:

An Act to further amend Section 303 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations, imposing certain existing obligations or institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period.

## Senate Bill No. 694, entitled:

An Act authorizing cities, boroughs, towns, and townships to accumulate over a period of more than one year monies required to match State grants; and further regulating the budget taxation and appropriation powers of such political subdivisions therefor.

## Senate Bill No. 701, entitled:

An Act to amend paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts"

## Senate Bill No. 703, entitled:

An Act authorizing the capture or destruction of unprotected birds in any city or borough in certain cases.

## Senate Bill No. 711, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of



Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act of 1947."

Senate Bill No. 715, entitled:

An Act to further amend Section 1 of the act, approved the third day of May, one thousand nine hundred fifteen (P. L. 226), entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census," by changing and further fixing the fees to be charged by the prothonotary.

Senate Bill No. 718, entitled:

An Act to further amend section thirteen of the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.

Senate Bill No. 719, entitled:

An Act to further amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by increasing the expense and clerical allowance of members of the General Assembly and making an appropriation.

Senate Bill No. 721, entitled:

An Act authorizing and empowering the Pennsylvania Turnpike Commission to combine the turnpike and its extensions now constructed and to be constructed or parts thereof for financing purposes under the provisions of this act authorizing the issuance of turnpike revenue bonds of the Commonwealth notes or other obligations to pay the cost of such combined turnpike and its extensions authorizing the commission to refund any bonds notes or other obligations theretofore issued by the commission under the provisions of any act including the payment of any redemption premium thereon notwithstanding any limitations or restrictions as to time of refunding or rate of interest contained in any act heretofore approved whether or not any of the projects in respect of which such securities being refunded were issued are combined authorizing the commission to fix tolls from time to time for the use of the projects so combined authorizing the commission to construct and finance as a whole or in sections providing for preliminary or interim financing through the issuance of notes or other obligations constituting the same legal investments in certain instances and exempting the same from taxation providing for bonds to be given by each appointed member of the commission and the Secretary and Treasurer thereof conditioned upon the faithful performance of the duties of his office in the administration of the Pennsylvania Turnpike System and providing for salaries for the appointed members of the commission in lieu of the salaries heretofore authorized by law.

Senate Bill No. 723, entitled:

An Act to amend section 3 of the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and cor-

oners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgment recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" by fixing the time the lien of such recognizances shall run including those heretofore executed

Senate Bill No. 729, entitled:

An Act to repeal Sections 2 and 3 of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the city of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

Senate Bill No. 731, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of certain moral claims; providing for the hearing, adjustment and payment of moral claims to members of the Workmen's Compensation Board and referees suffered as a result of delay in confirmation of appointments made by Governor to such offices.

Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing adjustment and paying of moral claims growing out of the property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

Senate Bill No. 733, entitled:

An Act concerning mutual military aid and assistance by and between the Commonwealth of Pennsylvania and other states, in an emergency; and agreeing to, approving, and authorizing and empowering the Governor to enter into, a compact with the State of New Jersey and the State of New York and any other state concurring therein or otherwise approving thereof, for such purpose.

Senate Bill No. 734, entitled:

An Act to amend sections one and two of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1511), entitled "An act defining cold storage; requiring licenses to operate cold storage warehouses and locker plants; requiring records, reports, marking wrapping protecting limiting time of storage, disposition, sale, return or transfer of foods in cold storage; conferring powers on the Department of Agriculture, including adoption of rules and regulation, special permits for storage of feeding stuffs for animal use, and providing penalties for violation of this act," by redefining the term "Cold Storage Warehouse" and reducing the license fee.



Senate Bill No. 736, entitled:

An Act providing for the registration of professional bondsmen in cities of the first class; providing for criminal offenses and penalties.

Senate Bill No. 738, entitled:

An Act to further amend subsection (g) of Section 1110 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth

Senate Bill No. 739, entitled:

An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital.

Senate Bill No. 742, entitled:

An Act providing for supplementing the police forces of cities, boroughs, towns and townships, for the appointment, powers and control of auxiliary police therein, and for the transfer during disasters and emergencies of such auxiliary police, members of the regular police forces, and police equipment thereof.

Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

Senate Bill No. 759, entitled:

An Act to promote the uniform development of Allegheny County; creating the Metropolitan Study Commission of Allegheny County; defining its powers and duties; conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions.

Senate Bill No. 763, entitled:

An Act to amend Section 6 of the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 422) entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems" by extending the powers of the department in consulting cooperating negotiating and entering into contracts and agreements for planning constructing financing maintaining and operating works or facilities.

Senate Bill No. 765, entitled:

An Act to further amend the act, approved the fifth

day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by changing the definition of wages as to the rights and obligations of employers and employes where a successor-in-interest has acquired assets of a predecessor.

Senate Bill No. 769, entitled:

An Act requiring elevators and material hoists used in building construction to be safe and operated by experienced elevator operators; imposing duties upon building inspectors and providing penalties.

Senate Bill No. 771, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by empowering the board of school directors in every school district to insure all of its employes against liability for personal damages sustained by pupils or others as the result of the employes' negligence in the performance of his or her duties during the course of his or her employment.

Senate Bill No. 778, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to acquire certain tracts of land for the use of the Harrisburg State Hospital, and making an appropriation therefor.

Senate Bill No. 788, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions and officers authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such funds.



## Senate Bill No. 793, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation, not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

## Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right, title and interest of the Commonwealth in certain streets, lanes and alleys situate within such cities.

## Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption; prescribing penalties; and authorizing the courts of common pleas to enjoin violations.

## Senate Bill No. 798, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time within which State mental hospital employees may become members and within which State employees may become "original members," and permitting additional persons to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change.

## Senate Bill No. 800, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for minimum retirement allowances in certain cases, and appropriations for payment of the costs thereof.

## Senate Bill No. 801, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns benefits and rights from taxation and judicial process and providing penalties," by permitting employees to make up back payments to the retirement

system from the time they entered school service and securing to such employees the full benefits of the retirement system from the time they entered school service.

## Senate Bill No. 808, entitled:

An Act to further amend Section 1201 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further providing for the sale of borough property.

## Senate Bill No. 811, entitled:

An Act to further amend section 205 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by increasing the salary of the Deputy Commissioner of the Pennsylvania State Police.

## Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

## Senate Bill No. 818, entitled:

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June, one thousand nine hundred



thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further regulating publication of notice of land subdivision ordinances.

Senate Bill No. 819, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown, designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes; eliminating the requirement of witnesses; providing additional remedies to mortgagees as against third persons; and providing that the provisions of the act be liberally construed.

Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for appointment of school auditors to fill vacancies in such office in union school districts.

Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class, and amending, revising and consolidating the law relating thereto," by prescribing a minimum period of continuous service for retirement of members of the police force, and providing for the payment of service increments to such employees in addition to their retirement allowances.

Senate Bill No. 824, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/60) to the one one-hundred-fortieth (1/40) class and to receive the benefits thereof.

Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

Senate Bill No. 831, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties," by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

Senate Bill No. 832, entitled:

An Act to amend rule fifty-five of article XII of the act approved the second day of June, one thousand eight hundred ninety-one, (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by permitting the removal of props or timber by blasting or by means of a prop puller.

Senate Bill No. 833, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township, Blair County, Pennsylvania with the approval of the Governor.

Senate Bill No. 845, entitled:

An Act to further amend Rule 12, and to amend Rule 14 of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by authorizing the use of roof bolts and other practical devices in working places.

Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease, and the determination of measures for control and eradication.

Senate Bill No. 867, entitled:

An Act to add section 2315.2 to the act, approved the ninth day of April, one thousand nine hundred twenty-



nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions; and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred.

Senate Bill No. 868, entitled:

An Act to amend Section 1 of the act approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed, to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by either department, and setting out the method of procedure therefor," by clarifying the provisions thereof to include periods when licenses are revoked, and periods after violation of laws, rules and regulations governing private institutions.

Senate Bill No. 869, entitled:

An Act to further amend section 322 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired.

Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

Senate Bill No. 872, entitled:

An Act to further amend Section 21 of the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth and judicial review thereof; and preserving equitable jurisdiction in certain cases," by extending the time within which regulations must be filed in the Department of State.

Senate Bill No. 875, entitled:

An Act authorizing under certain conditions the erection of a memorial chapel on the grounds of the State tuberculosis sanatorium at Hamburg, Pennsylvania, with

private capital, the solicitation of such capital, and the acceptance of such chapel by the Commonwealth.

Senate Bill No. 877, entitled:

An Act fixing the fees and mileage of the coroner in counties of the fourth class.

Senate Bill No. 881, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Bucks County.

Senate Bill No. 882, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Bucks County.

Senate Bill No. 883, entitled:

An Act to amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (Act No. 264), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licenses and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties," by clarifying certain provisions thereof; and making additional provisions for licensure and for the licensing and control of chiropractors heretofore licensed by the State Board of Medical Education and Licensure.

Senate Bill No. 884, entitled:

An Act to further amend Section 30 of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," by increasing the maximum amounts of payments by the State for registered and unregistered cattle.



Senate Bill No. 885, entitled:

An Act to amend Section 608 of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for removal of all protection on raccoons in counties infested with rabies upon notice to commission by Department of Agriculture.

Senate Bill No. 886, entitled:

An Act validating county treasurer's deeds, where the acknowledgment of such deed or deeds was defective in any respect, or sale thereof not legally returned, if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments, and return duly made at a subsequent term.

Senate Bill No. 887, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of May, one thousand eight hundred seventy-four (P. L. 159), entitled "An act relating to compulsory arbitrations," by changing the terminology of the pleadings and making the provisions of the act inapplicable in certain cases.

Senate Bill No. 888, entitled:

An Act to amend the act approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration," by providing, by rule of court, for the arbitration of certain suits at issue and prescribing the procedure; the appointment and compensation of arbitration and the payment of fees and costs in such cases.

Senate Bill No. 889, entitled:

An Act to further amend Section 3704 of the act, approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by further providing for firing compensation to certain officers and employees.

Senate Bill No. 891, entitled:

An Act to further amend section 1001 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," by permitting employees of school districts to serve as councilmen.

Senate Bill No. 897, entitled:

An Act to implement Article fourteen section eight of the Constitution of Pennsylvania providing for the election or appointment compensation terms and disposition of the duties of certain of the former County officers and employees in the City of Philadelphia by amendments or supplement to the Philadelphia Home Rule Charter.

Senate Bill No. 898, entitled:

An Act to amend Section 322 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further defining eligibility for the office of school director.

Senate Bill No. 899, entitled:

An Act to add Section 516.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to

private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing attendance of school directors at meetings of educational or financial advantage to the district, and providing for the payment of their expenses.

Senate Bill No. 903, entitled:

An Act making an appropriation to the Department of Property and Supplies to defray the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Training School at Morgantown.

Senate Bill No. 905, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Somerset for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Somerset State Hospital.

Senate Bill No. 908, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Norristown for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Norristown State Hospital.

Senate Bill No. 909, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Huntingdon for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Pennsylvania Institution for Defective Delinquents.

Senate Bill No. 913, entitled:

An Act to amend Section 1072.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for creation of the office of associate superintendent in third class districts.

Senate Bill No. 914, entitled:

An Act to further amend Section 2518 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by imposing a penalty on school districts for employing substitute teachers where vacancies exist.

Senate Bill No. 917, entitled:

An Act to amend section four of the act approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate, projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth;



and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing flood control projects and increasing the borrowing capacity of the Authority.

Senate Bill No. 922, entitled:

An Act authorizing and directing the Department of Property and Supplies, with the approval of the Governor, to remise, quitclaim and convey to the Burgess and Town Council of the Borough of Warren, Pennsylvania, all right, title and interest of the Commonwealth to a certain portion of Second Avenue in the Borough of Warren; providing for the disposition of the proceeds of the sale; and authorizing the Burgess and Town Council of the Borough of Warren to sell and convey said land.

Senate Bill No. 923, entitled:

An Act to further amend clause (c) of Section 3 of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 359), entitled "A supplement to the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties," by making certain editorial changes.

Senate Bill No. 925, entitled:

An Act to further amend Section 501 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing fees for hunters' licenses and tags for antlerless deer and compensation for issuing same; and providing for issuance by county treasurers only.

Senate Bill No. 929, entitled:

An Act to repeal the act approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1531), entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office; invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time; and imposing duties and conferring powers on recorders of deeds."

Senate Bill No. 930, entitled:

An Act to repeal the act approved the fourteenth day of May, one thousand nine hundred forty-nine (P. L. 1340), entitled "An act requiring political subdivisions to file copies of zoning ordinances, together with maps or plans indicating the area or zones of the political subdivisions affected by such ordinances, in the recorder's office; invalidating zoning ordinances heretofore adopted unless copies thereof, together with maps, are filed within a certain time; and imposing duties and conferring powers on recorders of deeds."

Senate Bill No. 937, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by further providing for refusal to issue and revocation of licenses.

Senate Bill No. 939, entitled:

An Act to amend Sections eight hundred and eight and eight hundred and nine of the Act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" by permitting delegates at large and alternate delegates at large to National conventions of the respective political parties to be elected by the State committees of such political parties if the rules of such State committees specifically authorize their selection by the State committees.

House Bill No. 1, entitled:

An Act relating to the civil defense of this State and its coordination with national defense, providing for the establishment of a State Council of Civil Defense, local and district councils of civil defense, Mobile Support Units, prescribing the powers, duties and immunities thereof and of their personnel, authorizing mutual aid compacts, and providing penalties.

House Bill No. 2, entitled:

An Act to amend the title of, and to further amend the act approved the thirteenth day of April, one thousand nine hundred forty-two (P. L. 37), entitled, as amended, "An act relating to air raid precautions, including blackouts; conferring certain powers and duties upon the State Council of Defense, local and district Councils of Defense, political subdivisions, members of certain municipal and volunteer agencies and civilians necessary for the safety, defense and protection of civilians and property in the Commonwealth; providing for the mobilization, coordination and use of certain municipal agencies and volunteer agencies, including their personnel and equipment; providing for immunity from liability for injury or death to persons or damage to property under certain circumstances, and providing penalties," by changing the name of the State Council of Defense and the reference to certain laws.

House Bill No. 3, entitled:

An Act authorizing certain political subdivisions to make appropriations for the payment of expenses of local or district councils of civil defense within said political subdivisions and for the protection or preparation for the protection of the health welfare and safety of the civilian population of said political subdivision during emergencies resulting from air raids blackouts or sabotage regulating the manner of payment of expenses of local and district councils of civil defense authorizing such political subdivisions to borrow money under certain conditions for such purposes and providing for the repayment thereof.

House Bill No. 4, entitled:

An Act authorizing the Commonwealth of Pennsylvania to enter into a compact with any other state for mutual helpfulness in meeting any civil defense emergency or disaster.



## House Bill No. 5, entitled:

An Act to amend the act approved the thirteenth day of April, one thousand nine hundred forty-two (P. L. 82), entitled "The Sabotage Prevention Act," by amending section two relating to penalties.

## House Bill No. 8, entitled:

An Act making a deficiency appropriation to the Joint State Government Commission for the payment of general expenses.

## House Bill No. 13, entitled:

An Act requiring political subdivisions to satisfy of record at their expense certain lost liens for taxes against real property sold at sheriff's sales under certain conditions.

## House Bill No. 14, entitled:

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by further providing for the contents of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto.

## House Bill No. 17, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Pittsburgh Allegheny County Pennsylvania containing approximately two hundred forty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

## House Bill No. 22, entitled:

An Act to amend clause (g) of section 2801-A of, and to add Section 2802-A, the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Historical Preservation Fund; providing for the payment of certain moneys into it; and making an appropriation thereof.

## House Bill No. 23, entitled:

An Act to further amend part of section 302 and sections 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by providing for the Historical Preservation Fund and for disbursements therefrom.

## House Bill No. 24, entitled:

An Act to amend section 304 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929,"

by increasing the membership of the Pennsylvania Historical and Museum Commission.

## House Bill No. 25, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire on behalf of the Commonwealth, certain land, buildings and appurtenances, located in the Township of Manheim, Lancaster County, and certain personal property therein; and making an appropriation.

## House Bill No. 28, entitled:

An Act to further amend section 703 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by changing the compensation paid to township commissioners.

## House Bill No. 30, entitled:

An Act to add clause (5) to section two thousand five hundred forty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for payments on account of pupil transportation where school buses are used for purposes of better gradation.

## House Bill No. 33, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for filling the office of county superintendent when the only candidate for election becomes unavailable therefor within thirty days of the election date.

## House Bill No. 35, entitled:

An Act providing temporarily for the grant without examination of certificates of licensure to practice medicine and surgery to certain persons who become members of the armed forces of the United States; and suspending inconsistent laws.

## House Bill No. 42, entitled:

An Act to amend subsection (b) of Section 921, and Section 922 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the tenure of members and officers of county boards of school directors.

## House Bill No. 43, entitled:

An Act authorizing the Board of Trustees of Pennsylvania Soldiers' Orphan School, with the approval of the Department of Public Instruction, to accept on behalf of the Commonwealth a stone amphitheater erected on the grounds of the Pennsylvania Soldiers' Orphan School.

## House Bill No. 44, entitled:

An Act to amend section 1 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1203), entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries; authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries; and making an appropriation," by increasing the percentage of Commonwealth aid to counties and the maximum amount of aid payable to any county; and making an appropriation.

## House Bill No. 45, entitled:

An Act to add Section 808.1 to the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "The Game Law," by pro-

hibiting certain acts relating to game in cemeteries and burial grounds.

House Bill No. 46, entitled:

An Act to add section 452 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "The General County Law," by authorizing the board of county commissioners to appropriate money to certain borough fire departments and volunteer fire companies located within the county.

House Bill No. 48, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties

House Bill No. 52, entitled:

An Act empowering cities of the first class of the Commonwealth to make and enforce by ordinances, fire prevention codes regulating the occupation and use of buildings and structures, and the conduct of trades or businesses which, due to the nature thereof, create a fire hazard or danger to life or property by fire or explosion and providing penalties.

House Bill No. 59, entitled:

An Act to further amend section 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," changing the procedure in reviving municipal claims; and reinstating the lien of certain claims.

House Bill No. 60, entitled:

An Act authorizing the court in any proceeding to establish paternity, to order the parties therein to submit to blood grouping tests, and prescribing the conditions under which such evidence may be admitted.

House Bill No. 73, entitled:

An Act to amend Article V of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses.

House Bill No. 74, entitled:

An Act to amend section two thousand five hundred five of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the basis for payments on account of school nurses.

House Bill No. 77, entitled:

An Act to further amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by prescribing the organization, hours of service; vacations and sick leaves of firemen.

House Bill No. 80, entitled:

An Act to further amend section four thousand three hundred two of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by prescribing a minimum period of continuous service and in certain cases a minimum age for police retirement.

House Bill No. 96, entitled:

An Act to reenact sections one to nine inclusive, of the act approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending.

House Bill No. 98, entitled:

An Act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employees (except superintendents assistant superintendents inspectors and chief clerks) in bureaus of police in cities of the second class and defining the powers and duties of civil service commissions in such cities for such purposes

House Bill No. 99, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto

House Bill No. 101, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

House Bill No. 111, entitled:

An Act to further amend section 506 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," providing for the modification of support orders in bastardly cases.

House Bill No. 120, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employee substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

House Bill No. 121, entitled:

An Act to further amend Section 903 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "School Code of 1949," by clarifying the provision allowing directors expenses at annual conventions and special meetings.

House Bill No. 124, entitled:

An Act to amend section one thousand twenty-four of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "School Code of 1949," by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

House Bill No. 129, entitled:

An Act to further amend section 7 of the act approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "Third Class County Board Assessment Law," by further providing for omitted assessments.



## House Bill No. 131, entitled:

An Act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto

## House Bill No. 156, entitled:

An Act to amend Section 9 of the act approved the twenty-first day of April, one thousand nine hundred forty-nine (P. L. 665), entitled "First Class City Home Rule Act," by changing the requirements for publication in newspapers of charter proposals and amendments.

## House Bill No. 160, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said court certain jurisdiction in the trial of criminal causes and suits for penalties; granting powers to said court for trial of such causes and suits.

## House Bill No. 161, entitled:

A Joint Resolution proposing an amendment to section eight, article five of the Constitution of the Commonwealth of Pennsylvania, authorizing the Court of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county.

## House Bill No. 163, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school districts of the second, third and fourth classes to levy additional taxes to pay rentals to municipality authorities; authorizing boards of school directors to make additional appropriations or to increase appropriations; authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money, including proceeds of general obligation bonds to municipality authorities; to acquire additional property for authority projects; to lease school projects from and pay rentals to municipality authorities; to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects; providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations; and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority.

## House Bill No. 175, entitled:

An Act authorizing and directing the Joint State Government Commission, to make a comprehensive study of the migratory habits of fish, particularly shad, and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the federal government in connection therewith; prescribing powers and duties and making an appropriation.

## House Bill No. 187, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

## House Bill No. 188, entitled:

An Act relating to the admissability in evidence, and the proof of official records, documents and proceedings, both domestic and foreign, and of copies thereof, and extracts therefrom, and certificates in reference thereto.

## House Bill No. 193, entitled:

An Act to repeal the act, approved the twenty-eighth day of April, one thousand nine hundred fifteen (P. L. 197), entitled "An act regulating the manner and time of payment of employes of cities of the first class."

## House Bill No. 194, entitled:

An Act to repeal the act, approved the twenty-third day of April, one thousand nine hundred fifteen (P. L. 174), entitled "An act regulating the manner of payment of county employes in counties having a population over one million."

## House Bill No. 201, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by transferring the administration and enforcement of the provisions of the act from the Department of Welfare to the Department of Revenue.

## House Bill No. 202, entitled:

An Act to further amend Section 2445 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by authorizing the issuance of non-debt revenue bonds for the alteration, addition to or enlargement of existing sewers, sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds.

## House Bill No. 204, entitled:

An Act to amend Section 1512 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by requiring water utility companies to furnish to townships, lists of water meter readings, flat-rate bills and other data for the purpose of determining sewer charges.

## House Bill No. 205, entitled:

An Act changing the procedure in civil actions hereafter brought in any of the courts of common pleas of this Commonwealth; providing for trial without jury, and for the filing of agreements therefor; providing for the payment of jury fees.

## House Bill No. 206, entitled:

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by requiring water utility companies to furnish to the township lists of water meter readings, flat-rate water bills, and other data for the purpose of determining sewer and drainage rates.

## House Bill No. 207, entitled:

An Act to further amend the second paragraph of section 2 of the act, approved the seventh day of June one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house



drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeitures for the violation thereof," by further providing for the appointment of the plumbing inspector in certain cases in third class cities.

House Bill No. 213, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs town and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by adding a presumption of relationship to employment of diseases of the heart and tuberculosis of the respiratory system and providing disability benefits for such conditions.

House Bill No. 218, entitled:

An Act to further amend section 30 of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "Dog Law of 1921," by increasing the maximum amounts of payments by the State and requiring additional proof of claims in certain cases.

House Bill No. 220, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1661) entitled "An act to impose a temporary tax on real estate for public school purposes in school districts of the first class for current expenses," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; and deleting certain obsolete provisions.

House Bill No. 221, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

House Bill No. 222, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1669), entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax in persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; and deleting certain obsolete provisions.

House Bill No. 224, entitled:

An Act to further amend section 7 of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1879), entitled "Third Class County Board Assessment Law," by further providing for the preparation of assessment rolls and lists.

House Bill No. 228, entitled:

An Act to amend section 733 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by providing for an alternative procedure in desertion and nonsupport cases.

House Bill No. 231, entitled:

An Act relating to mental health including mental illness, mental defect, epilepsy, and inebriety; and amending, revising, consolidating, and changing the laws relating thereto.

House Bill No. 235, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania making special provisions for the taxation of private forest reserves.

House Bill No. 238, entitled:

An Act to amend Section 256 of the Act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by authorizing fish wardens to make arrests without warrants under certain circumstances.

House Bill No. 241, entitled:

An Act to amend section six hundred forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by increasing the age range of children prohibited admittance to moving picture theatres during school hours.

House Bill No. 247, entitled:

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein," by extending the provisions thereof to include certain, adults and empowering the minor spouses of such persons to join in the execution of certain contracts; and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions.

House Bill No. 252, entitled:

An Act to amend Section 605 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "The Fourth to Eighth Class County Assessment Law," by requiring the recorder's record of conveyance to contain complete post office addresses of grantees.

House Bill No. 253, entitled:

An Act to further amend clause (2) of Section 12 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by further providing for disability retirement allowance of persons able to engage in gainful occupations.

House Bill No. 256, entitled:

An Act to further amend sections 10 and 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "Police-men's Relief and Pension Fund Law," by changing and



fixing the amount of members' contributions and pension payments to beneficiaries.

House Bill No. 257, entitled:

An Act to further amend section 652 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the measures of pupil teacher ratio in computing the real estate tax for school purposes in school districts of the first class and first class A.

House Bill No. 269, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases.

House Bill No. 270, entitled:

An Act to add Section 2511.2 to the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for payments to school districts and vocational school districts on account of employment of highway safety education instructors.

House Bill No. 274, entitled:

An Act to further amend Section 1001 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by increasing the compensation of the township auditors.

House Bill No. 276, entitled:

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled as amended "Parking Authority Law," by extending the provisions of the act to boroughs and townships of the first class.

House Bill No. 277, entitled:

An Act to amend section six hundred eighty of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by requiring new residents and residents becoming of age to notify assessors of such facts and prescribing penalties.

House Bill No. 323, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley, and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds.

House Bill No. 329, entitled:

An Act to further amend subsection (a) of Section 1103 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by prohibiting the installation of parking meters by local authorities at certain places.

House Bill No. 331, entitled:

An Act to amend clause (4) of Section 1401 and Section 1421 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by further defining "Medical Examiner."

House Bill No. 332, entitled:

An Act to amend Clauses (80), (81) and (87) of Section 101 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "Statutory Construction Act," by changing the definition of "osteopath," "osteopathic surgeon," and "physician."

House Bill No. 333, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for the payment of minimum salaries and increments for county and district superintendents, assistant county and district superintendents, teachers, supervisors, principals, supervising principals and other employees.

House Bill No. 334, entitled:

An Act to amend subsections 5 and 6 of section two thousand five hundred one and section two thousand five hundred two of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for reimbursement by the Commonwealth to school districts and vocational school districts.

House Bill No. 341, entitled:

An Act giving liens against real property priority over each other in point of time fixing the time from which priorities extended and imposing duties on judges and certain court and county officers and employees.

House Bill No. 356, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "Municipality Authorities Act of 1945," by extending the provisions thereof to school districts for limited purposes; changing provisions for incorporation, withdrawal from and joinder in authorities, amendment of articles of incorporation, boards of Authorities and citizenship of members thereof; and providing for extensions of corporate existence, transfers of existing facilities to Authorities, and conveyance of projects upon termination or assumption of liabilities.

House Bill No. 361, entitled:

An Act to further amend section 6 of the act, approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "Indeterminate Sentence, Probation and Penitentiary Parole Law," by further regulating the manner of sentencing of convicts in certain cases.

House Bill No. 368, entitled:

An Act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement; providing for the annual renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws.

House Bill No. 369, entitled:

An Act to further amend Sections 202, 418 and 1810 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929" by changing the name of the State Board of Examiners for Registration of Nurses.

House Bill No. 370, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs and



improvements to existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

House Bill No. 375, entitled:

An Act to further amend subsection (b) of Section 1108 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing townships of the first class to remove and impound vehicles.

House Bill No. 378, entitled:

An Act to further amend the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled as amended "1937 Magistrate's Court Act," by making the increase in salaries of magistrates applicable to all magistrates, including the additional salary of the chief magistrate for his duties as such and increasing the same; and by further providing for the costs of transcripts or reports.

House Bill No. 398, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created, "by changing the compensation of the Secretary-Treasurer of the Board and changing the amounts of contributions by members to the fund, changing the amounts of payments to beneficiaries, and changing the eligibility requirements for pensions."

House Bill No. 432, entitled:

An Act to further amend Sections 2562 and 2564 of the act approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "Public School Code of 1949," by changing the provisions for payments by districts for pupils attending in other districts.

House Bill No. 433, entitled:

An Act to further amend sections 318 and 322 of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by changing the amount of employes contributions to, and the retirement allowances from, the employes' retirement fund in counties of the second class and authorizing such counties and county institution district to make additional appropriations to the aforesaid fund.

House Bill No. 439, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "Workmen's Compensation Act of 1915," by extending the provisions thereof to certain persons who extinguish forest fires; and further defining compensation in the case of self employers.

House Bill No. 441, entitled:

An Act providing for the reception as evidence of certifications of authorized representatives of departments boards or commissions attesting to the licensure status or non-licensure status of an individual

House Bill No. 444, entitled:

An Act to protect the blind and incapacitated pedestrians on public streets and highways requiring vehicles to come to a full stop in certain cases restricting the use of certain colored canes by other pedestrians and imposing penalties

House Bill No. 445, entitled:

An Act to amend Section 11 of the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095) entitled "Anthracite Strip Mining Law," by clarifying the requirement for back-filling adjacent to highways.

House Bill No. 459, entitled:

An Act to further amend Section 2561 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "Public School Code of 1949," by including additional items in "overhead cost per pupil" for purpose of reimbursement between school districts.

House Bill No. 466, entitled:

An Act requiring cities of the first class to make annual appropriations to Firemen's Pension Funds.

House Bill No. 483, entitled:

An Act to amend section five hundred seventeen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the payment of traveling expenses of certain employes.

House Bill No. 484, entitled:

An Act to further amend subsection (a) of section 704 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by permitting the use of semi-automatic shotguns for the hunting and killing of small game, predators and unprotected birds.

House Bill No. 491, entitled:

An Act to amend the title and further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by eliminating certain classes of taxable items providing that corporations limited partnerships and joint-stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor and providing that the act shall apply only to school districts of the first class A

House Bill No. 492, entitled:

An Act to further amend Section 1311 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "Public Utility Law," by providing for sentences of imprisonment in default of fines imposed under that section for first and second offenses by motor carriers, common carriers by airplane or brokers.

House Bill No. 499, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand



nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" by further regulating the rendition of statements of moneys to the credit of the various funds in the State Treasury

House Bill No. 501, entitled:

An Act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor

House Bill No. 511, entitled:

An Act to further amend Sections 614 and 615 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by increasing the penalty provisions and providing for fines and imprisonment.

House Bill No. 512, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by requiring taxing districts to pay the premium on corporate bonds of the tax collector, in townships of the first class and further regulating the fixing of the compensation of elected tax collectors.

House Bill No. 513, entitled:

An Act to amend section 2 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "Motor Vehicle Safety Responsibility Act," by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

House Bill No. 524, entitled:

An Act relating to criminal prosecutions permitting defendants to make motions in arrest of judgment on the ground that the evidence is insufficient to sustain the charge and providing for the effect thereof

House Bill No. 530, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing the operation or movement of ambulances and police vehicles with a red light displayed to the front thereof.

House Bill No. 531, entitled:

An Act to further amend Section 1 of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 844, No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will and enabling them to use and to testify against each other in certain cases," clarifying the prohibition against a married woman's right to sell real estate without the joinder of her husband.

House Bill No. 532, entitled:

An Act to reenact Section 802 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," relating to approval of joint plans of merger or consolidation of non-profit corporations by the members thereof, in order to clarify effect of prior amendments.

House Bill No. 534, entitled:

An Act to further amend Section 1304 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the provisions relating to admission of beginners.

House Bill No. 535, entitled:

An Act to further amend section 701 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by eliminating certain restrictions on the possession of game and other birds and animals.

House Bill No. 538, entitled:

An Act to amend section one thousand one hundred fifty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled, "Public School Code of 1949," by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death.

House Bill No. 541, entitled:

An Act to further amend Section 511 and Section 610 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by extending the time and increasing the fees for the issuance of special hauling and excessive size permits and increasing size for which permits may be issued.

House Bill No. 545, entitled:

An Act to amend Subsection (f) of Section 302, of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," by providing that employers reserve accounts shall not be charged with compensation paid to certain employees.

House Bill No. 548, entitled:

An Act to amend Subsection (c) of Section 823, and to add Section 823.1 and 823.2 to the act, approved, the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by providing that certificates of inspection shall contain a description of the vehicle including manufacturer's serial number and providing penalties for counterfeiting, theft, removal or transfer of certificates of inspection.

House Bill No. 554, entitled:

An Act authorizing political subdivisions other than cities of the first and second classes and school districts of the first class and first class A to appoint and pay the compensation of employees to make an assessment list of all inhabitants or residents thereof over twenty-one years of age for taxation purposes

House Bill No. 555, entitled:

An Act to amend Section 1704 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by clarifying the powers of joint school committee in managing the affairs of joint schools or departments.



## House Bill No. 556, entitled:

An Act to amend Section 625 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by authorizing municipalities to grant special permits for the discharge of flobert rifles and other types of firearms in such municipalities for particular purposes.

## House Bill No. 559, entitled:

An Act to further amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by authorizing supervisors of townships of the second class to add names to the tax assessment lists and tax duplicates.

## House Bill No. 568, entitled:

An Act to further amend section one, of the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by further prescribing for the management, administration, application and regulation of such fund in cities of the first class.

## House Bill No. 569, entitled:

An Act to further amend the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by providing a method of paying service increments from the retirement fund in cities to members of the police force after retirement.

## House Bill No. 577, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by further regulating the security required for deposits of State moneys and to permit the designation of additional banks or trust companies as active depositories.

## House Bill No. 587, entitled:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed and regulating the proceedings pertaining thereto.

## House Bill No. 589, entitled:

An Act to amend section one thousand one hundred forty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for additional increments for holders of college certificates or Masters' Degrees.

## House Bill No. 590, entitled:

An Act to amend section one thousand one hundred forty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for increments for professional employes holding a Master's Degree or its equivalent.

## House Bill No. 596, entitled:

An Act to amend Section 2 of the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 75) entitled "An act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree

thereon" by reducing the time in which the petition shall be heard

## House Bill No. 602, entitled:

An Act to reenact and amend the title and the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled, as amended "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and for Pension Annuity Contracts, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," by extending the benefits of the act to certain county police pension funds.

## House Bill No. 609, entitled:

An Act to further amend Sections 10 and 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by providing that tax and municipal claims and the revivals thereof in counties of the second class must be signed by or have stamped thereon a facsimile signature of the county controller.

## House Bill No. 614, entitled:

An Act to amend section one thousand one hundred nine of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for qualifications of principals.

## House Bill No. 620, entitled:

An Act to further amend clause (b) of Section 201 of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34 P. L. 15), entitled, as amended "Pennsylvania Liquor Control Act" by further providing for the fixing of sale prices for Pennsylvania liquor stores.

## House Bill No. 624, entitled:

An Act to amend subsections (b) and (c) of section one thousand two hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," and to add thereto new subsections (d) and (e) so as to except therefrom the transfer of stock not subject to the transfer inheritance tax owned by deceased residents of an area listed by the Department of Revenue as entitled by law to such exemption and stock formerly owned by the entireties by resident spouses, one of whom shall have died, and to require the Department of Revenue to list such areas.

## House Bill No. 629, entitled:

An Act to establish a separate orphans' court in and for the county of Beaver.

## House Bill No. 631, entitled:

An Act to repeal an obsolete act relating to transfer of stock standing in the name of a decedent, or in the joint names of a decedent and one or more other persons, or in trust for a decedent.

## House Bill No. 633, entitled:

An Act to amend Sections 3 and 4 of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1184) entitled "An act requiring all employable persons receiving public assistance with certain exceptions to perform certain work or be refused further assistance conferring powers and imposing duties on county boards of assistance and on certain State and



local officers and employes and on charitable institutions persons copartnerships associations corporations and State and Federal employment officers and requiring payments to the Commonwealth on account of certain work performed' by imposing additional duties on county boards of public assistance permitting nonprofit cemetery associations fire companies public libraries and other similar organizations supported totally or partially by public subscriptions donations or gifts to furnish employment to certain persons and changing the requirements for furnishing transportation.

House Bill No. 634, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth," by providing for pay-days every two weeks.

House Bill No. 640, entitled:

An Act to amend the act approved the sixth day of June, 1893 (P. L. 326), entitled, "A supplement to an act, entitled 'An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon,'" approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and eighty-seven," by correcting the name of said institution and of the government board thereof.

House Bill No. 647, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse.

House Bill No. 655, entitled:

An Act to amend Section 508 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "Public School Code of 1949," by requiring a record vote of school directors on the adoption of the annual budget.

House Bill No. 656, entitled:

An Act to add Section 1709 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for traveling expenses of members of joint school boards and joint school committees in attending meetings of the same.

House Bill No. 678, entitled:

An Act to further amend Section 1803 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended by adding subsection (h) to authorize the Department of Forests and Waters to grant certain rights of way to utility companies.

House Bill No. 680, entitled:

An Act to further amend Sections 4 and 5 of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for

employes of said cities and regulating the administration and the payment of such pensions" by increasing the amount of pension in certain cases increasing the contributions required from certain employes and establishing certain minimum and maximum pensions.

House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions thereof to park guards

House Bill No. 684, entitled:

An Act providing for the observation of the 175th anniversary of the adoption of the Declaration of Independence; creating a commission to cooperate with like commissions of the government of the United States and of the City of Philadelphia in arranging ceremonies; and making an appropriation.

House Bill No. 690, entitled:

An Act to further amend section 2 of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" by raising fees for permits to conduct a pharmacy.

House Bill No. 691, entitled:

An Act to further amend Section 444 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law" by increasing the maximum appropriation which may be made for agricultural extension work.

House Bill No. 699, entitled:

An Act to further amend Section 1917 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by permitting lands or buildings to be set aside or acquired as recreation places, and to provide for the supervision, operation and maintenance thereof without approval by the electors.

House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by further defining, clarifying, adding to, and otherwise changing the laws relating to the affairs of townships."

House Bill No. 701, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "First Class Township Law" by changing requirements for contracts and purchases and imposing penalties.



## House Bill No. 702, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act" by further regulating the affairs of boroughs, and revising, amending, and changing the law relating thereto.

## House Bill No. 703, entitled:

An Act to amend subsection three of Section one and section four of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by extending the types permitted and fixing requirements thereof.

## House Bill No. 711, entitled:

An Act to further amend subsections (a) and (b) of section 16 of the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "The Permanent Registration Act for Boroughs Towns and Townships," by further providing for hours of registration, and removing certain obsolete provisions.

## House Bill No. 712, entitled:

An Act to further amend subsections (a) and (b) of section 17 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "The Permanent Registration Act in Cities of the Third Class," by further providing for hours of registration.

## House Bill No. 713, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services; further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts; and providing for the assessment of school districts for special services furnished by the county board of school directors.

## House Bill No. 714, entitled:

An Act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; providing for leaves of absence; imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws.

## House Bill No. 716, entitled:

A Supplement to the act, approved the twenty-seventh day of May, one thousand nine hundred forty-nine (Appropriation Acts, page 62), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-nine," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred and fifty-one.

## House Bill No. 717, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

## House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts.

## House Bill No. 719, entitled:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

## House Bill No. 721, entitled:

An Act to further amend clause (c) of Section 285 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by authorizing the Board of Fish Commissioners to make certain expenditures with or without bids.

## House Bill No. 724, entitled:

An Act to add subsection (c) to Section 2503 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by supplying an omission from former law providing for reimbursement for nonresident children; and validating such reimbursement heretofore made.

## House Bill No. 726, entitled:

An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by including townships of the second class within the classes of political subdivisions authorized to impose taxes under the provisions thereof.

## House Bill No. 730, entitled:

An Act to further amend Section 502 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by further regulating the issuance of permits for the hunting of antlerless deer and repealing the provisions for abrogation of open season on antlerless deer.

## House Bill No. 745, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Pennsylvania Library Council; prescribing its powers and duties; providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service; and making an appropriation.



## House Bill No. 752, entitled:

An Act to add Section 3 to the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act roviding for payment of costs in criminal cases by the proper county" by making costs payable by the county to aldermen and justices of the peace due and payable

## House Bill No. 754, entitled:

An Act to amend Section 1 of the act approved the eleventh day of May one thousand eight hundred seventy-four (P. L. 132) entitled "An act relating to payment of costs in cases of felony" by making costs due and payable by the county to aldermen or justices of the peace due and payable at the end of each calendar month

## House Bill No. 757, entitled:

An Act to add Article XVII to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by providing for the establishment of a traffic court in cities of the second class.

## House Bill No. 759, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation, protection and development of buildings and grounds at Ephrata Cloisters, a famous historical shrine belonging to the Commonwealth.

## House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," by further regulating the leasing of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands.

## House Bill No. 771, entitled:

An Act authorizing deductions from the wages or salary of any Commonwealth employee for the purchase of United States Saving's Bonds.

## House Bill No. 772, entitled:

An Act to amend the act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30) entitled, "Public School Code of 1949," by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction, and the care, training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children; and making an appropriation.

## House Bill No. 776, entitled:

An Act to amend Section 506 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "Insurance Department Act of 1921," by requiring notice of dissolution of stock or mutual fire insurance companies, association or exchanges to be given to policyholders or members.

## House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives; providing for the acquisition of land; providing for the care, maintenance and control of inmates; imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

## House Bill No. 789, entitled:

An Act to amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled, "The Penal Code" by prohibiting any mortgagee or pledgee from requiring that property securing a loan be insured by a particular insurance company.

## House Bill No. 792, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates, and for their admission to, and care therein, and the payment of the cost thereof.

## House Bill No. 793, entitled:

An Act to further amend Section 12 of the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "Narcotic Law" by increasing the penalties for the illegal sale, dispensing or giving away of drugs.

## House Bill No. 794, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by enlarging the jurisdiction of said court in certain cases of appeals and making said jurisdiction exclusive

## House Bill No. 795, entitled:

An Act to further amend Section 12 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by conferring exclusive jurisdictions on the county court of Allegheny County in cases of appeals from the Board of Property Assessment Appeals and Review

## House Bill No. 796, entitled:

An Act to further amend Section 616 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals by persons whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learner's permit.

## House Bill No. 797, entitled:

An Act to amend subsection (b) of Section 8 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary merchantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector in administering and enforcing the provisions of the act

## House Bill No. 798, entitled:

An Act to further amend subsection (a) and (b) of Section 9 of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "Pennsylvania Labor Relations Act," by conferring exclusive jurisdiction on the County Court of Allegheny County in cases of appeals from the Labor Relations Boards.

## House Bill No. 801, entitled:

An Act to amend Section 931 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by providing that certain county roads when abandoned shall become township roads, or borough or city streets as their location shall determine.

## House Bill No. 802, entitled:

An Act to add a new section 1309 to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating a Bureau of Higher Education in the Department of Public Instruction.

## House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties, to enforce regulations and orders, and to connect properties of owners failing or neglecting to make connection.

## House Bill No. 815, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by providing that the Department of Revenue furnish one registration plate for every vehicle.

## House Bill No. 819, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

## House Bill No. 820, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by permitting certain members to obtain credit for military service who were not eligible members at time of entry into military service.

## House Bill No. 826, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1048), entitled "School Employes' Retirement Law," by redefining the term "final salary" and further providing the manner of computing employes' annuities.

## House Bill No. 827, entitled:

An Act to further amend the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by reducing the retirement age.

## House Bill No. 829, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," by requiring panel to be set up within five days after the receipt of a request therefor.

## House Bill No. 841, entitled:

An Act to reenact and further amend the title and the act, approved the siteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "Corporate Net Income Tax Act" by increasing the rate of tax, and extending the provisions of the act for a further limited period of time.

## House Bill No. 842, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies, for a further limited period of time.

## House Bill No. 843, entitled:

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

## House Bill No. 844, entitled:

An Act to reenact and further amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended "Cigarette Tax Act" by providing that the provisions of said act shall continue in effect until repealed.

## House Bill No. 845, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six, P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended, by extending the provisions thereof, for a further limited period of time.

## House Bill No. 846, entitled:

An Act to further amend section three of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended, "Beverage Tax Law," by increasing the rates of certain taxes for a further limited period of time.



## House Bill No. 847, entitled:

An Act to amend section four of the act, approved the second day of July, one thousand nine hundred forty-seven (P. L. 1199), entitled, "Fuel Use Tax Act" by extending the provisions of the additional tax for a limited time.

## House Bill No. 848, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled as amended, "Liquid Fuels Tax Law," by extending the provisions of the additional tax for a limited time; and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth, with certain conditions.

## House Bill No. 850, entitled:

An Act to amend Section 2001 of the act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the name of the Cheyney Training School for Teachers.

## House Bill No. 851, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by changing the name of the Cheyney Training School for Teachers.

## House Bill No. 859, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by making drivers of fire-fighting apparatus or ambulances for certain volunteer fire companies eligible to the city pension fund.

## House Bill No. 860, entitled:

An Act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of said trustees the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws

## House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

## House Bill No. 863, entitled:

An Act to further amend Sections 113 and 133 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by further regulating fishing devices for game fish on the Delaware River between Pennsylvania and New Jersey.

## House Bill No. 866, entitled:

An Act to further amend section 622 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law" by increasing the allowance for expenses of township officers at annual meeting of the State association.

## House Bill No. 867, entitled:

An Act transferring money from the Banking Fund to the General Fund.

## House Bill No. 872, entitled:

An Act authorizing certain municipal corporations of other states to acquire use encumber and dispose of real property and appurtenances attached thereto in this Commonwealth necessary to the beneficial use of certain real property in such other state defining certain of their rights and liabilities in connection therewith and validating certain acquisitions and holdings of real property and appurtenances attached thereto by such municipal corporations heretofore consummated.

## House Bill No. 878, entitled:

An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903), entitled "An act to prevent frauds against carriers of passengers for hire, within this Commonwealth, and prescribing penalties for the breach of the provisions hereof" by changing penalties and defining magistrate.

## House Bill No. 881, entitled:

An Act to further amend Clause L of Section 1202 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act" by authorizing increase of appropriations for burial ground maintenance.

## House Bill No. 896, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled, "The First Class City Permanent Registration Act," by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of street lists.

## House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the requirements that certain vehicles stop at railway grade crossings.

## House Bill No. 907, entitled:

An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "Public Utility Law," by permitting motor carriers, not qualified to be self-insurers, to furnish surety bonds or public liability insurance.

## House Bill No. 909, entitled:

An Act to further amend section 889 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," by prohibiting the unauthorized wearing of the insignia, badge, shield or button of the Air Force Association.

## House Bill No. 931, entitled:

An Act to further amend Section 719 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by changing the dog training period.

## House Bill No. 937, entitled:

An Act to amend Section 3 of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalties," by permitting the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

## House Bill No. 940, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

## House Bill No. 944, entitled:

An Act to further amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" by increasing the fees in certain cases

## House Bill No. 946, entitled:

An Act to amend Article X of the Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for the appointment and removal of supervisors, their qualifications, term of office, duties, salary and method of filling vacancies.

## House Bill No. 947, entitled:

An Act to amend Sections 1704, 1705 and 1707 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled, "Public School Code of 1949," by further providing for voting by boards of school directors establishing and maintaining joint schools or departments, method of adopting budget and employing teachers.

## House Bill No. 950, entitled:

An Act to amend section 1 of the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21), entitled, "Optometrists Licensure Law," by further defining the practice of optometry and defining "optometrist."

## House Bill No. 951, entitled:

An Act to add Section 11.1 to the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21), entitled "Optometrists Licensure Law," by providing for acceptance of testimony of licensed optometrists by agencies and political subdivisions of the Commonwealth and providing for payment for services of optometrists.

## House Bill No. 955, entitled:

An Act to amend section 10 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," by removing the limitations on contributions by the city.

## House Bill No. 958, entitled:

An Act to further amend subsections (a) of Sections 1016 and 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "Vehicle Code," by changing the requirements for stop signs.

## House Bill No. 959, entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P.

L. 252), entitled, as amended "Beverage License Law," by further regulating and limiting the issuance of distributors' and importing distributors' licenses and further regulating sales by licensees.

## House Bill No. 960, entitled:

An Act to amend Section 8 of the act approved the first day of May one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when by the parties to such proceedings and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred and eighty-one' approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" by increasing the compensation of official stenographers for copies of stenographic notes

## House Bill No. 962, entitled:

An Act authorizing the Supreme Court and the Superior Court to appoint and fix the compensation of reporters of their decisions, and to approve the appointment and compensation of assistants and employees appointed by said reporters; and repealing certain acts.

## House Bill No. 966, entitled:

An Act to authorize school districts of the first class to furnish free milk to pupils in the kindergarten and first grade.

## House Bill No. 967, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," providing for sick and disability leave with salary, and hospital and medical expenses, for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

## House Bill No. 976, entitled:

An Act to amend Section 1 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons, with certain exceptions," by further prescribing the maximum hours of service for such employes in any one week.



House Bill No. 983, entitled:

An Act requiring wells and cisterns to be covered or sealed; providing penalties.

House Bill No. 984, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for exceptions to compulsory attendance.

House Bill No. 990, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," by amplifying the provisions thereof as to persons entitled to such payments.

House Bill No. 993, entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Board of Trustees of the Woodville State Hospital to sell and convey a certain tract of land in the township of Collier Allegheny County Pennsylvania owned by the Commonwealth to the Universal Concrete Pipe Company and providing for the disposition of the proceeds of the purchase moneys

House Bill No. 996, entitled:

An Act authorizing the Secretary of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Woodville State Hospital, to sell and convey a certain tract of land in Collier Township, Allegheny County, Pennsylvania, owned by the Commonwealth of Pennsylvania, to the Duquesne Light Company, and providing for the disposition of the proceeds of the purchase monies.

House Bill No. 1005, entitled:

An Act requiring certain officers of the Commonwealth of Pennsylvania and its departments boards commissions and agencies and of the political subdivisions thereof to deduct from the salaries wages or other compensation payable by them to any elected or appointed officers or employees the premiums or other charges due from such persons under various contracts of group insurance when written authorization to make such deductions is given by any such persons and requiring the deductions so made to be paid directly to the association or corporation furnishing such group insurance

House Bill No. 1020, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

House Bill No. 1022, entitled:

An Act to amend section 1 and 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-five (P. L. 244), entitled "Local Government Commission Law," by providing for the expenditure of any biennial appropriation made to the Local Government Commission.

House Bill No. 1023, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

House Bill No. 1027, entitled:

An Act to amend subsection (b) of Section 4 of the act, approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently

of any pension system or systems existing in such cities," limiting rights to involuntary retirement.

House Bill No. 1030, entitled:

An Act to further amend Section 643 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by prohibiting minors from delivering liquor or malt and brewed beverages.

House Bill No. 1037, entitled:

An Act providing for the merger of certain existing railroad corporations into street passenger railway corporations setting forth the procedure to be followed the effect of the merger upon property and franchises and defining the rights powers and privileges of the surviving company

House Bill No. 1039, entitled:

An Act to amend sections 401 and 406 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 21), entitled "Liquor Code," by permitting certain sales of liquor for consumption off the premises.

House Bill No. 1040, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land situate in the Township of Cecil Washington County Pennsylvania providing for reversion to the Commonwealth

House Bill No. 1042, entitled:

An Act to amend subsection (h) of section 2 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing further health and safety requirements

House Bill No. 1043, entitled:

An Act to further amend section 1026 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by limiting the eligibility of candidates for county superintendent of schools.

House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto, further regulating licensing and the suspension and revocation of such licenses; prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions

House Bill No. 1052, entitled:

An Act to further amend the title and Section 1 of the act approved the sixteenth day of April one thousand nine hundred seven (P. L. 92) entitled as amended "An act defining the duty of coroners where death is sudden or violent or is of a suspicious nature and character and of

police and health authorities in this Commonwealth in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner but where it appears the cause of death is not surrounded by suspicious circumstances" by prescribing duties of coroners and deputy coroners when death occurs to a person in any institution for juvenile delinquents and dependents.

House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by providing additional penalties.

House Bill No. 1057, entitled:

An Act to add Section 6.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses.

House Bill No. 1059, entitled:

An Act to further amend subsections (a) and (b) of Section 411 and to amend Section 506 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for the transfer of motor vehicles, trailers and semi-trailers from a husband to his wife and from a wife to her husband or from either to both jointly.

House Bill No. 1060, entitled:

An Act to amend the act approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 21), entitled "Liquor Code," by making the serving of food optional with certain licenses and changing certain requirements relating to the serving of food.

House Bill No. 1064, entitled:

An Act to amend Section 1132 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction.

House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

House Bill No. 1066, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia, Pennsylvania.

House Bill No. 1067, entitled:

An Act to add Section 1072.1 to and to further amend Section 1073 of the act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the discontinuance of the office of district superintendent in any district of the third class.

House Bill No. 1068, entitled:

An Act to further amend Section 2405 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by permitting delivery of unserviceable property to Superintendent of Public Instruction, without charge, for assignment to school districts.

House Bill No. 1071, entitled:

An Act to amend the title and Section 1 of the act, approved the twelfth day of July, one thousand nine hundred thirty-five (P. L. 708) entitled "An act empowering the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Pennsylvania Industrial School, to grant a right of way or easement to the Penn Central Light and Power Company across lands of the Pennsylvania Industrial School, on certain conditions," by authorizing the relocation of the right of way or easement by agreement of the interested parties.

House Bill No. 1073, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of the Pennsylvania Soldiers' Orphan School, to acquire an unimproved tract of land in Franklin County for the use of the Pennsylvania Soldiers' Orphan School; and making an appropriation.

House Bill No. 1081, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by making special provision for the purchase of steel to be used in the manufacture of vehicle registration plates.

House Bill No. 1085, entitled:

An Act to amend Section 432 and Section 472 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. , Act No. 21), entitled "Liquor Code," by providing that no wholesale distributor's license shall be granted in any municipality where the electors have voted against licensing places for the sale of malt or brewed beverages; bringing wholesale distributors within local option provisions now applicable to retail dispensers and providing where tie vote occurs on local option question, the status quo obtains.

House Bill No. 1089, entitled:

An Act fixing the minimum pensions of policemen and firemen in certain cities.

House Bill No. 1091, entitled:

An Act to further amend section two of the act approved the second day of June one thousand eight hundred and eighty-three (P. L. 61) entitled "An act supplementary to an act entitled 'An act for the incorporation and regulation of corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing the incorporation of pipe lines for the transportation of petroleum and providing for the exercise of the right of eminent domain in taking lands and property for such purposes" by clarifying and enlarging the powers of pipe line companies to acquire use and dispose of property including shares of stock of other pipe line companies authorizing such companies to exercise powers of eminent domain outside the Commonwealth clarifying provisions concerning consents of stockholders and approvals of Pennsylvania Public Utility Commission.

House Bill No. 1092, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by providing for the filing of nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created.



## House Bill No. 1095, entitled:

An Act reappropriating to Episcopal Hospital, Philadelphia, certain moneys heretofore appropriated to the University of Pennsylvania for the maintenance of the Episcopal Hospital.

## House Bill No. 1097, entitled:

An Act to further amend subsection (a), (b) and (c) of Section 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing the designation of thru highways and stop intersections in second class townships.

## House Bill No. 1098, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by authorizing the shade tree commission to require the cutting and removal of trees afflicted with the Dutch elm or other disease which threatens to injure or destroy shade trees, and to levy and collect the cost thereof from the owner of the property by action in assumpsit, or by the filing of a municipal claim therefor.

## House Bill No. 1100, entitled:

An Act to amend section 464 and 471 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21) entitled "Liquor Code," by further defining the powers of courts on appeal.

## House Bill No. 1101, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Allentown State Hospital to sell at public sale and convey a certain tract of land situate in the City of Allentown County of Lehigh and providing for the disposition of the proceeds of the purchase moneys.

## House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and liens if not paid.

## House Bill No. 1104, entitled:

An Act to amend subsection (a) of Section 1402 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing the giving of medical and dental examinations to children prior to enrollment in the first grade.

## House Bill No. 1108, entitled:

An Act to repeal the act, approved the sixth day of June, one thousand nine hundred thirteen (P. L. 452), entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions, societies, and associations caring for dependent, neglected, or delinquent children' approved the twenty-sixth day of February, Anno Domini one thousand nine hundred and three, and making it the duty of the board of visitation to visit all institutions, within the county, which receive their inmates from more than one county, and are in whole or in part supported and managed by the Commonwealth, and all institutions which are wholly supported and managed by any county, city, borough, or township of the poor district of the Commonwealth, and providing for the making of nominations of appointment on the boards of visitation."

## House Bill No. 1112, entitled:

An Act to amend the title of and the act approved the twenty-eighth day of April 1887 (P. L. 63) entitled "An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon" by correcting the name of said institution and of the governing board thereof and changing the age limit of persons who may be committed to and detained therein

## House Bill No. 1113, entitled:

An Act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended "Liquid Fuels Tax Law," by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agriculture purposes; providing penalties and making appropriations from the Motor Licenses Fund for the payment of such reimbursements and expenses in connection therewith.

## House Bill No. 1114, entitled:

An Act to further amend Section 3 of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weighmasters Act," by requiring different types of solid fuels in one vehicle to be separated and requiring separate weighmaster's certificate for each type.

## House Bill No. 1116, entitled:

An Act to further amend Section 1 and 2 of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "Commodities Weight and Measure Law," by defining further words and terms and regulating the sale of certain additional commodities.

## House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

## House Bill No. 1121, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

## House Bill No. 1122, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

## House Bill No. 1123, entitled:

An Act to provide for the registration and protection of trademarks and to secure the rights property and interests therein providing for the assignment cancellation and revocation thereof and imposing penalties for violations conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof to repeal all acts inconsistent therewith

## House Bill No. 1126, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education and research.

## House Bill No. 1127, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

## House Bill No. 1130, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

## House Bill No. 1133, entitled:

An Act to further amend section seven, eleven and twenty-one and to add section twenty-one point one to the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; 'establishing the Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed on probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties thereof; and for other cognate purposes, and making an appropriation," by removing the ceiling on salaries of the secretary of the board and of districts supervisors, making the amount of such salaries subject to the determination of the Executive Board; and by further defining the jurisdiction, duties, powers and function of the Pennsylvania Board of Parole.

## House Bill No. 1135, entitled:

An Act to amend the title and Section 2 and 3 of the act, approved the third day of June, one thousand nine hundred forty-three (P. L. 847), entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased of arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations; and making an appropriation," by authorizing the State Council to purchase, own, install, maintain and lease, equipment and accessories for suitable business enterprises for the blind, accept Federal funds and making an additional appropriation.

## House Bill No. 1138, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh.

## House Bill No. 1139, entitled:

An Act to further amend the first paragraph of section 13 of the act, approved the nineteenth day of March, one thousand nine hundred nine, (P. L. 46), entitled "Osteopathic Practice Law," by changing the time and increasing the fee for annual registration of osteopaths.

## House Bill No. 1141, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

## House Bill No. 1142, entitled:

A Further Supplement to the act, approver the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

## House Bill No. 1143, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction to complete the new Boys' Dormitory.

## House Bill No. 1144, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

## House Bill No. 1146, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

## House Bill No. 1147, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

## House Bill No. 1148, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

## House Bill No. 1149, entitled:

An Act making an appropriation to the Department of Public Instruction, including proceeds of publications sold, for the purpose of revising the curricula of elementary, secondary and vocational schools.

## House Bill No. 1150, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art—Textile Institute, Philadelphia.

## House Bill No. 1152, entitled:

An Act making a appropriation to the Department of Public Instruction to pay expenses in the operation of the Speech and Hearing Rehabilitation Centers.

## House Bill No. 1154, entitled:

An Act making an appropriation to provide funds for the Bushy Run Battlefield Park.

## House Bill No. 1163, entitled:

An Act to further amend subsection (b) of Section 2 of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions



certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" by extending the time for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

House Bill No. 1165, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Mall in Philadelphia.

House Bill No. 1166, entitled:

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law.

House Bill No. 1167, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

House Bill No. 1171, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-one (P. L. 299) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuel price display signs and imposing a penalty" by requiring the posting of signs on liquid fuels dispensing devices stating the brand quality and price of liquid fuels prohibiting the posting of signs not conforming to prescribed standards and increasing penalties.

House Bill No. 1173, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by authorizing the Pennsylvania Game Commission to issue special permits to certain disabled veterans with service connected disabilities and permitting them to hunt under Commission regulations from automobiles.

House Bill No. 1174, entitled:

An Act to repeal the act approved the twentieth day of May one thousand eight hundred seventy-one (P. L. 1037) entitled "An act to limit the power and authority of the borough authorities of the borough of Emporium in the county of Cameron over the streets therein and to authorize the setting out of shade trees along the streets."

House Bill No. 1178, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

House Bill No. 1179, entitled:

An Act to amend Section 330.17 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by authorizing the assignment of county police to inside or special duties in certain cases and prescribing the manner in which such assignments shall be made.

House Bill No. 1182, entitled:

An Act to further amend Section 20 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by prescribing penalties for violations of closed seasons.

House Bill No. 1185, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors in districts of the third class to elect an associate superintendent in lieu of a district superintendent, prescribing his powers and duties and fixing his compensation.

House Bill No. 1188, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

House Bill No. 1189, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tide-way of the Delaware River and its navigable tributaries, and providing for reimbursement to the Commonwealth.

House Bill No. 1192, entitled:

An Act to further amend Section 1 of the act, approved the twenty-first day of March, one thousand nine hundred forty-five (P. L. 51), entitled "An act defining and regulating the practice of Chiropody and providing penalties," by further defining Chiropody.

House Bill No. 1196, entitled:

An Act to amend clause (15) of the second paragraph of Section 493 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "Liquor Code," by making the cashing of Public Assistance checks by licensees of the Pennsylvania Liquor Control Board an unlawful act.

House Bill No. 1204, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by clarifying the procedure in referente to rating of professional employees and temporary professional employees; and designating the persons authorized to do the same.

House Bill No. 1205, entitled:

An Act defining clinicopathologic laboratory; regulating the operation of the same; requiring such laboratories to obtain permits and to be operated under the direct supervision of a duly licensed physician or other qualified persons; imposing certain duties upon the Department of Health, and providing penalties.

House Bill No. 1206, entitled:

An Act to further amend the act, approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," by further defining "final salary"; authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen, magistrates, and justices of the peace; and imposing liability therefor upon the county in certain cases.

House Bill No. 1217, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

House Bill No. 1223, entitled:

An Act appropriating certain moneys in the Motor License Fund to Cities Boroughs Towns and Townships of the Commonwealth for certain purposes and for a limited time conferring powers and imposing duties on the officials of such political subdivisions and on the Department of Highways

House Bill No. 1224, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 1226, entitled:

An Act authorizing certain existing beneficial or protective societies, heretofore incorporated, to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon health of individuals, and against personal injury and disablement and death, including endowment insurance; regulating such corporations, and limiting the amounts for which such corporations may issue policies.

House Bill No. 1234, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "Beauty Culture Law," by further regulating the giving of treatments away from beauty culture shops, and by students in beauty culture schools, and permitting educational demonstrations on Sunday.

House Bill No. 1236, entitled:

An Act to amend subsection (d) of Section 804 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "Fiduciaries Act of 1949," by making an editorial correction.

House Bill No. 1237, entitled:

An Act to amend section 1 of the act, approved the sixth day of May, one thousand nine hundred twenty-nine (P. L. 1557), entitled "An act permitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and without any other writ," by extending the provisions thereof to promissory notes accompanying mortgages.

House Bill No. 1238, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further regulating reimbursement by the Commonwealth to certain school districts on account of pupil transportation.

House Bill No. 1247, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "City State Highway Law," by changing or deleting certain routes and adding certain new routes.

House Bill No. 1248, entitled:

An Act to further amend the act approved the fifth

day of May, one thousand nine hundred twenty-seven, entitled "An act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth," by changing certain routes.

House Bill No. 1249, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from State highway system.

House Bill No. 1250, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "Borough Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

House Bill No. 1251, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

House Bill No. 1252, entitled:

An Act to establish certain roads or sections of road as State Highways.

House Bill No. 1253, entitled:

An Act to amend the act approved the eighth day of April, one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways; and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing that in cities of the first class informations, charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

House Bill No. 1269, entitled:

An Act to amend Section 15 of the approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic Hospital" by changing the maximum age for the commitment of delinquents to the Pennsylvania Training School at Canonsburg and changing admission requirements relating thereto

House Bill No. 1270, entitled:

An Act providing for the commitment and transfer of certain female juvenile delinquents to the Pennsylvania Training School for Girls or to certain other institutions and imposing duties on the courts of this Commonwealth relative thereto

House Bill No. 1280, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes in the interim between the thirty-



first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act become available.

House Bill No. 1281, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one.

House Bill No. 1283, entitled:

An Act authorizing the Orphans' Courts of the several counties, upon application therefor, to place documents, defined as historical documents, in the custody of certain associations maintaining facilities for public display of historical writings; conferring powers and imposing duties on registers of wills.

House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes, secured by and payable from current revenues of any current biennium levied, assessed, collectible and accruing during such fiscal biennium; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on and the repayment of such loans and making an appropriation.

House Bill No. 1287, entitled:

An Act to further amend subsection B of section one thousand nine of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled as amended, "Banking Code," by further limiting the amount which may be invested in shares of other banking institutions.

House Bill No. 1288, entitled:

An Act to further amend clause five of subsection (a) of Section 3 of the act, approved the thirteenth day of May, one thousand nine hundred nine (P. L. 520), entitled "Pure Food Law," by changing the amount of sulphur dioxide which may be used in the preparation of certain foods.

House Bill No. 1289, entitled:

An Act making a deficiency appropriation to the Judicial Department for salaries of associate judges.

House Bill No. 1290, entitled:

An Act to amend section one of the act approved the nineteenth day of May one thousand eight hundred and ninety-seven (P. L. 77) entitled "An act granting the permission and regulating the establishment and operation of bone boiling establishments and depositories of dead animals in the Commonwealth of Pennsylvania and providing the violations of the provisions of this act" by adding the requirement that permission to erect or operate such establishments in counties which have organized a county department of health or joint-county department of health must be obtained from the county department of health or joint-county department of health

House Bill No. 1292, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for reports of sales of vehicles to nonresidents, the transportation of dangerous substances, and the inspection of dealers' premises; further regulating the administrative powers of the

department, the licensing, suspension, and revocation of operators and operating privileges, and the operation and equipment of vehicles; changing certain fees, and powers and jurisdiction of peace officers magistrates, aldermen, and justices of the peace; and prescribing additional enforcement and penal provisions.

House Bill No. 1293, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) entitled "Motor Vehicle Safety Responsibility Act," by clarifying and extending the provisions of the act to include certain vehicles of the tractor type; and making editorial changes.

House Bill No. 1294, entitled:

An Act to amend the title of, and the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by deleting from said act all provisions relating to operators, operators' licenses, and trailers; and further providing for the equipment of tractors.

House Bill No. 1295, entitled:

An Act to repeal certain parts of acts relating to the keeping of alphabetical lists and indexes by the Departments of Revenue and Auditor General of persons reported to them as being interested in escheatable property and certain unclaimed funds

House Bill No. 1300, entitled:

An Act to amend sections one two three and five as amended of the act approved the fifth day of June one thousand nine hundred and thirteen (P. L. 443) entitled "An act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof" by adding county departments of health or joint-county departments of health to the health authorities to which cases of ophthalmia neonatorum must be reported

House Bill No. 1301, entitled:

An Act to further amend section fifteen of the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled, as amended, "Barber License Law," by adding counties which have established a county department of health or joint-county department of health to the political subdivisions empowered to regulate barber shops by ordinances or regulations not inconsistent with law.

House Bill No. 1303, entitled:

An Act to provide revenue for State purposes by imposing a property tax, for a limited period of time, on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock associations, and limited partnerships; excluding certain income; providing for the assessment, collection, settlement and re-settlement of taxes, and reviews and appeals therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards and departments; making an appropriation; and providing penalties.

House Bill No. 1306, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing

the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" by authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a compact or agreement with the State of New Jersey amending and supplementing the compact and agreement between the State of New Jersey and the Commonwealth of Pennsylvania authorizing and empowering The Delaware River Joint Commission to construct finance operate maintain and own a vehicular tunnel under or an additional bridge across the Delaware River and defining certain functions powers and duties of said Commission authorizing the Governor to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent to such supplemental compact or agreement

House Bill No. 1308, entitled:

An Act to further amend section two and seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "Municipal Employees Retirement Law," by further defining the term "municipality" to include joint-county departments of health by defining the term "joint-county health commission," and by providing that joint-county departments of health may join the retirement system.

House Bill No. 1309, entitled:

An Act to amend section one and two, as amended, sections four, five, six, seven and eight, and sections nine and ten, as amended, of the act, approved the twenty-eighth day of June, one thousand nine hundred and twenty-three (P. L. 888), entitled "Communicable Disease Control Law," by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of health or joint-county department of health to the political subdivision requiring or empowered to perform certain duties relating to the reporting, quarantining and control of diseases declared communicable by law or regulation.

House Bill No. 1310, entitled:

An Act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class exempting certain municipalities from the jurisdiction or single-county or joint-county departments of health permitting the dissolution of departments or boards of health in certain municipalities authorizing state grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health the administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health and the administration of state grants and repealing an act which confers health powers upon counties of the first class

House Bill No. 1311, entitled:

An Act to amend section four hundred forty-seven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by deleting those provisions which require such counties to cooperate with the State Department of Health and boroughs and first class townships; and deleting those provisions which prescribe the appointment of health officers, the approval of appointments by the

State Department of Health, and the powers and duties of appointees.

House Bill No. 1312, entitled:

An Act to provide for better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaged in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties; and repealing other laws.

House Bill No. 1318, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College to acquire certain tracts of land for the use of Clarion State Teachers College, and making an appropriation.

House Bill No. 1324, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the registration year for commercial motor vehicles, motor buses, motor omnibuses, and trailers, and certain exemptions in accordance therewith.

House Bill No. 1325, entitled:

An Act to amend Section 730 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by requiring corporations, companies, associations and limited partnerships registered with the Department of Revenue to give notice of change in post office address.

House Bill No. 1326, entitled:

An Act to further amend the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "Osteopathic Practice Law," by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

House Bill 1327, entitled:

An Act to amend Section 901 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "School Code of 1949," by providing for authorization by county conventions of activities and services to be administered by county boards of school directors.

House Bill No. 1331, entitled:

An Act authorizing and directing the Department of Highways, to erect and maintain a bridge over the Susquehanna River, between a point in or near the Borough of Millersburg, Dauphin County, and a point in Perry County, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages; and making an appropriation.

House Bill No. 1333, entitled:

An Act to amend section five and eighteen of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "Milk Sanitation Law," by adding counties which have established or joined in establishing county departments of health to those municipalities which may be constituted agents of the Secretary of Health for the purpose of issuance of milk permits and by adding county department of health regulations to those municipal ordinances not effected by the act.



## House Bill No. 1334, entitled:

An Act to amend section one of the act approved the seventh day of April one thousand nine hundred and twenty-seven (P. L. 144) entitled "An act authorizing boards of health to require roving bands or bands of nomads commonly called gypsies declared to be nuisances or menaces to health to leave municipalities and providing penalties" by adding county departments of health and joint-county departments of health as alternate health authorities which may make findings and issue orders under the act

## House Bill No. 1335, entitled:

An Act to further amend Section 11 of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by providing for credit for service with a school district of the first class, for members of a first class city pension fund in certain cases.

## House Bill No. 1338, entitled:

An Act to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the fee for learner's permits; and appropriating the increase for Teaching of safe driving of motor vehicles.

## House Bill No. 1346, entitled:

An Act to amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes' Retirement Law," by clarifying certain provisions thereof and correcting grammatical and typographical errors therein.

## House Bill No. 1347, entitled:

An Act to amend act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by making corrections and conforming certain provisions to existing practice.

## House Bill No. 1348, entitled:

An Act to amend Section 1 of the act, approved the eighth day of May, one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes, by imposing upon certain foreign corporations, limited partnership and joint stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania, and requiring the filing of certain reports in the office of the Auditor General," by exempting from the provisions thereof foreign nonprofit corporations.

## House Bill No. 1349, entitled:

An Act to further amend Section 706 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by changing the date on which initial bonus reports shall be filed and such bonus paid by foreign corporations.

## House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the allocation of funds of school districts for programs essential to mobilization, or de-mobilization, of civilian manpower.

## House Bill No. 1351, entitled:

An Act to further amend subsection C of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships, of the first class, school districts of the second class school districts of the third class and school districts of the fourth class to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," excluding taxes imposed on real property transfers in certain school districts in determining tax limitations.

## House Bill No. 1358, entitled:

An Act to further amend Section 1188 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by extending provisions for compensation for attendance at meetings of teachers.

## House Bill No. 1366, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for the payment of expenses of teachers' meetings by the county treasurer.

## House Bill No. 1367, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for payment of the expenses of the annual convention of school directors out of county funds.

## House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by limiting to forty hours the work week of police officers in certain cases.

## House Bill No. 1372, entitled:

An Act to amend Section 308 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by further regulating the method of approval of the borrowing of money and disposition of real estate, by nonprofit corporations by the members thereof.

## House Bill No. 1373, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by reclassifying chubs as baitfish.

## House Bill No. 1376, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight and to amend section two thousand one hundred eleven of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by reconstituting the Advisory Health Board and further prescribing its powers and duties.

House Bill No. 1377, entitled:

An Act to amend sections two four five and six of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging-houses in the different cities in this Commonwealth" by adding county departments of health and joint-county departments of health to the health authorities empowered by the act to render certificates make inspections and adopt rules and regulations

House Bill No. 1379, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment.

House Bill No. 1380, entitled:

An Act to amend the title and to further amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," by further defining the liability of property for expenses incurred for support, maintenance, assistance and burial.

House Bill No. 1381, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled as amended "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board of Private Trade Schools; and prescribing penalties," by further defining "agent"; prohibiting agents from representing more than one school; clarifying the period for which a license is effective and requiring the keeping and maintaining of certain records by licensees.

House Bill No. 1384, entitled:

An Act to repeal the act approved the thirteenth day of April, one thousand eight hundred sixty-eight, (P. L. 1017), entitled "An act to provide for the collection of state, county, poor and military taxes in the county of Bedford," so far as it relates to Bedford County.

House Bill No. 1387, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

House Bill No. 1388, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

House Bill No. 1389, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

House Bill No. 1390, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

House Bill No. 1391, entitled:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold

for the purpose of revising the curricula of elementary secondary and vocational schools.

House Bill No. 1392, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

House Bill No. 1393, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

House Bill No. 1394, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

House Bill No. 1395, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 1396, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

House Bill No. 1402, entitled:

An Act providing for appeals to the court of common pleas from the decisions, rulings and findings of Civil Service Boards and Commissions in cities.

House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school district, in certain cases.

House Bill No. 1417, entitled:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly for the payment of compensation of per diem employees.

House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one

House Bill No. 1422, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

House Bill No. 1423, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

House Bill No. 1424, entitled:

An Act to further amend Section 1101 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by changing the provisions relating to restrictions of the right to use highways.



## House Bill No. 1428, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," by defining "prescription," further providing for meetings of the board and examination of pharmacists by the board, further regulating experience requirements of applicants for examination and registration as pharmacists, exempting physicians from certain requirements of the act.

## House Bill No. 1429, entitled:

An Act to amend Section 1 of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 299), entitled "A supplement to an act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," providing for the registration of apprentices in pharmacy, requiring employers of such apprentices in pharmacy, requiring employers of such apprentices to see that they are registered, and imposing penalties," by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

## House Bill No. 1431, entitled:

An Act providing for the licensure and regulation of commercial boarding homes for the aged; conferring certain powers and duties upon the Department of Welfare; imposing license fees, and providing penalties.

## House Bill No. 1432, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1032), entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys, in cities of the first class; for the establishment of lines and grades for, and the grading, paving, or repaving of said alleys, and the grading of private alleys hereafter laid out; and for apportioning the cost, and for the filing of liens therefor," by giving property owners a longer period of time in which to abate nuisances.

## House Bill No. 1438, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

## House Bill No. 1440, entitled:

An Act to further amend Section 315 and 413 of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736) entitled as amended "Workmen's Compensation Act of 1915," by limiting the effect on workmen's compensation claims of insurance payments for nonoccupational illness or injury.

## House Bill No. 1441, entitled:

An Act to further amend clauses (a), (c) and (d) of section three hundred six and section four hundred ten of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "Workmen's Compensation Act of 1915," by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability and changing procedure.

## House Bill No. 1442, entitled:

An Act to further amend the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.

## House Bill No. 1444, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Shippensburg State Teachers College, to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County, Pennsylvania; and making an appropriation therefor.

## House Bill No. 1445, entitled:

An Act to add section three hundred twenty-eight to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department, board or commission of the Commonwealth; and prescribing penalties.

## House Bill No. 1449, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty one, (Act Number 141), entitled "The Mental Health Act of 1951," by further defining "qualified physician" and "medical examiner."

## House Bill No. 1450, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees, and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-one, and such time as the funds provided by the General Appropriation Act become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

## House Bill No. 1451, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one.

## House Bill No. 1463, entitled:

An Act to repeal the act, approved the twenty-sixth day of February, one thousand nine hundred three (P. L. 8), entitled "An act providing for the appointment of boards of visitation for institutions, societies, and associations caring for dependent, neglected and delinquent children."

## House Bill No. 1468, entitled:

An Act to add section 10.1 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by providing for credit for years of service for certain former employees of the public school system.

## House Bill No. 1469, entitled:

An Act to add section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employees Retirement Law," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

## House Bill No. 1470, entitled:

An Act to repeal the act, approved the thirteenth day of April, one thousand eight hundred sixty-eight (P. L. 1017), entitled "An act to provide for the collection of state, county, poor and military taxes in the county of Bedford," so far as it relates to Bedford County.

House Bill No. 1476, entitled:

An Act to further amend Article III of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by fixing maximum hours of service for policemen and providing for compensation for extra services in emergencies.

House Bill No. 1477, entitled:

An Act to further amend Section 1 of the act, approved the thirtieth day of March, one thousand nine hundred fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities." by further regulating the hours of duty of firemen in cities of the second class.

House Bill No. 1479, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," requiring certain vehicles and combinations of vehicles to be constructed or equipped to prevent throwing of road surface substance from their rear wheels beyond certain limits.

House Bill No. 1480, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," by defining and redefining certain terms; but further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records, for reciprocal arrangements with foreign governments, for the modification of the manner in which contribution rates are determined and redetermined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments.

House Bill No. 1482, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire by gift, suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents.

House Bill No. 1484, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance opera-

tion and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

House Bill No. 1487, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

House Bill No. 1488, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

House Bill No. 1489, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

House Bill No. 1494, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

House Bill No. 1497, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Act No. 141), entitled "The Mental Health Act of 1951," by changing and adding definitions; further providing for the licensing of private institutions, the functions of various State institutions, the procedure relating to the admission, commitment, transfer, escape, discharge, leave of absence, care, rights and employment of patients, and in certain cases, the costs incident thereto, and relating to the appointment of guardians of the person; removing inoperative and unnecessary provisions; making editorial changes; and adding an changing penalties.

House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two, four, five, seven and fifteen of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "Fire Safety Building Regulation Law," by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists, covering in Class I buildings not formerly covered, authorizing the increase of ways of egress, and further providing for the safety of the public in motion picture theatres.

House Bill No. 1504, entitled:

An Act to amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," by declaring the obligations of Redevelopment Authorities issued pursuant to the law of Pennsylvania to be legal investments for fiduciaries.



House Bill No. 1505, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties," by further providing for the licensure and regulation of such nursing homes and hospitals.

House Bill No. 1507, entitled:

An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semi-trailers.

House Bill No. 1512, entitled:

An Act relating to records of governmental departments or agencies or private businesses, institutions, professions or calling; authorizing the reproduction or recording thereof by any photographic, photostatic, microfilm, micro-card, miniature photographic or other similar process; providing for the admissibility of such reproductions in evidence and the disposition of the original records.

House Bill No. 1513, entitled:

An Act to amend section four hundred twelve of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof.

House Bill No. 1518, entitled:

An Act to amend Section 2001 of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by changing the provisions relating to protests by property owners to the exercise of zoning powers.

House Bill No. 1526, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township, Snyder County, Pennsylvania, necessary for the better administration of the Selinsgrove State Colony for Epileptics.

House Bill No. 1533, entitled:

An Act to further amend Section 28 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "Uniform Vital Statistics Act" by further providing for payment of the compensation of local registrars.

House Bill No. 1535, entitled:

An Act to amend clauses (r) and (s) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) as added by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) entitled "Municipality Authorities Act of 1945" by clarifying and correcting the provisions of said clauses authorizing Authorities to charge the cost of sewer construction against properties benefited improved or accommodated thereby and providing for the enforcement of such charges.

House Bill No. 1538, entitled:

Bond Issue, General State Authority and State Highway and Bridge Authority

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty-two.

House Bill No. 1541, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of the expenses of the Committee to study the water resources of the Delaware River Basin including the Incodel Plan, a four-State compact for the distribution among New York, New Jersey, Delaware, and Pennsylvania, of the waters of the Delaware River Basin.

House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealer-users and wholesalers to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to file reports and to compile and retain certain records; requiring registration of vehicles, dealers, and carriers for hire; imposing duties on such persons; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees and providing penalties.

House Bill No. 1546, entitled:

An Act to amend Section 504 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further regulating the operation and maintenance of cafeterias by boards of school directors.

House Bill No. 1552, entitled:

An Act to amend subsection (d) of section 4 and section 9.1 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "The General State Authority Act of 1949," by authorizing the leasing of wholly or partially completed projects of the General State Authority.

House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 748), entitled, as amended, "The Pennsylvania Securities Act," as previously reenacted and amended, by increasing the fees charged by the Pennsylvania Securities Commission.

House Bill No. 1554, entitled:

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation, to receive, deposit, and administer such assets for rural rehabilitation or other authorized purposes, and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets.

House Bill No. 1557, entitled:

An Act to amend clause (h) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "Urban Redevelopment Law," by clarifying the provisions of said section with respect to the power of redevelopment Authorities to acquire real property.

House Bill No. 1562, entitled:

An Act to amend sections one and two of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions.

House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by authorizing financially handicapped or distressed school districts to levy additional taxes within certain limitations.

House Bill No. 1567, entitled:

An Act to amend Section 672 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

House Bill No. 1574, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by changing certain provisions relating to contracts, recreation places, highways, expense accounts of delegates to conventions, and payment by the city into police and firemen's pension funds.

House Bill No. 1577, entitled:

An Act fixing the salary of the Director of the Legislative Reference Bureau.

House Bill No. 1578, entitled:

An Act to further amend Section 4 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019) entitled "Statutory Construction Act," changing the effective date of laws in certain cases.

House Bill No. 1581, entitled:

An Act to amend the act, approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by further providing for the course of instruction and

the admission of students at such institution; and authorizing certain tuition charges for its use.

House Bill No. 1582, entitled:

An Act making appropriations to the Department of Property and Supplies and the Thaddeus Stevens Trade School to be used to purchase property in the City of Lancaster, Pennsylvania for improvements to such land and for repairs and improvements to buildings on such land.

House Bill No. 1585, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "State Highway and Bridge Authority Act," by further providing for examination of the accounts and books of the Authority.

House Bill No. 1587, entitled:

An Act to amend section 8 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "The General State Authority Act of 1949," by further providing for examination of the accounts and books of the Authority.

House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act, approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "State Public School Building Authority Act," by further providing for examination of the books and accounts of the Authority.

House Bill No. 1590, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736) entitled, as amended, "Workmen's Compensation Act of 1915, as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," by amplifying the provisions thereof as to persons entitled to such benefits.

House Bill No. 1599, entitled:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

House Bill No. 1603, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Section 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse.

House Bill No. 1604, entitled:

An Act prohibiting the use of diesel powered locomotives, pumps, or other machinery or other locomotives, pumps, or machinery powered by internal combustion engines or motors in coal mines.



House Bill No. 1605, entitled:

An Act authorizing allocations to the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance, Act 27-A, approved June thirtieth, one thousand nine hundred fifty-one, for the administrative expenses in auditing and disbursing the appropriation made by said act during the month of August, one thousand nine hundred fifty-one.

House Bill No. 1607, entitled:

An Act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling of use of such containers without authorization by the owner thereof; authorizing the Department of Labor and Industry, after public hearing, to prescribe uniform regulations for safety in design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes, and for the odorization of said gases used therewith; prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act; providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor.

House Bill No. 1611, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

House Bill No. 1612, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

House Bill No. 1613, entitled:

An Act making an appropriation to the Department of Public Instruction, including proceeds of publication sold, for the purpose of revising the curricula of elementary, secondary and vocational schools.

House Bill No. 1614, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

House Bill No. 1615, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purposes.

House Bill No. 1616, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mining Sealing Act of 1947."

House Bill No. 1617, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

House Bill No. 1618, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 1619, entitled:

An Act making an appropriation of Labor and Industry to meet the obligation of the Commonwealth to pay a part

of the compensation payable for certain occupational diseases.

House Bill No. 1620, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

House Bill No. 1621, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

House Bill No. 1628, entitled:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1154), entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses; for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine or other similar products, not colored in imitation of yellow butter; and prevent and punish fraud and deception in such manufacture, sale, and advertising as an imitation butter; to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure; and to prescribe certain powers and duties of the Department of Agriculture," by permitting the manufacture and except in certain cases the sale of colored oleomargarine, butterine and similar products.

House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools, conferring powers and imposing on the Department of Public Instruction; and imposing penalties.

House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further providing for the compensation of the return board.

House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

House Bill No. 1644, entitled:

An Act declaring the Communist Party illegal; making membership in the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

House Bill No. 1645, entitled:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds.

House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania, with the intent of influencing any judge, juror, witness or court officer in the discharge of his duty; and prescribing penalties.

House Bill No. 1648, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further regulating the date of the primary election.

House Bill No. 1654, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

House Bill No. 1658, entitled:

A Joint Resolution proposing an amendment to article eight, section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by requiring that logs, carried on certain vehicles and trailers, be securely fastened.

House Bill No. 1669, entitled:

An Act to amend section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by providing for the sale of escheatable property by the Secretary of Revenue.

House Bill No. 1671, entitled:

An Act to amend Section 902 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions, ordinances, agreements and resolutions laying out or vacating public roads.

House Bill No. 1676, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number, hours and days of classes in certain emergencies for a limited period of time.

House Bill No. 1678, entitled:

An Act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employees of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employees of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate,

House of Representatives and Legislative Reference Bureau," by providing for compensation on a daily basis for certain employees of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations.

House Bill No. 1679, entitled:

An Act to further amend the last paragraph of subsection (c) of Section 507 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1949," by authorizing departments, boards and commissions to contract for utility services furnished by political subdivisions and authorities.

House Bill No. 1680, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846), entitled, "An act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by increasing the salary of Mine Inspectors.

House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled, "An act to provide for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor," by further increasing the salary of the first aid and mine rescue instructors.

House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by increasing the salary of electrical inspectors.

House Bill No. 1690, entitled:

An Act to add Section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1046), entitled "School Employees' Retirement Law," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.



House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "Corporate Net Income Tax Act" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "Corporation Income Tax Law" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law" by increasing the rate of tax in certain instances from ten percentum to twenty percentum.

House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and the the Legislative Reference Bureau for the payment of mileage, compensation of employes and contingent expenses.

House Bill No. 1704, entitled:

An Act to further amend section 4 and 8 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by authorizing the assignment by municipal authorities organized by cities of the third class

of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Hazleton State Hospital, to acquire three tracts of land for the use of the Hazleton State Hospital; and making an appropriation therefor.

House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled, "Public School Code of 1949," by providing representation of each component district on the board of directors of union and merged school districts.

House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the salary of members of the General Assembly, and providing a salary and payment of expenses in the event of annual sessions.

House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes, and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-one, and such time as the funds provided by the General Appropriation Act become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal years ending May thirty-first, one thousand nine hundred fifty-one.

House Bill No. 1727, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," by further providing for certain minimum and maximum pensions.

House Bill No. 1739, entitled:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence, records, reports and other papers; and for studying and recommending filing systems or the use of space by departments, boards and commissions.

House Bill No. 1742, entitled:

An Act to amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine," by providing for a State tax on gross premiums, premium deposits, and assessments received from insurance business transacted within this Commonwealth.

### HOUSE MESSAGES

#### SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

#### SENATE CONCURRENT RESOLUTION, SERIAL No. 133 RESCINDED

In the House of Representatives, December 22, 1951.

Resolved, (if the Senate concur) That Concurrent Senate Serial No. 133, adopted by the Senate, September 26, 1951, and concurred in by the House of Representatives, October 2, 1951, providing for the adjournment sine die of this regular session of the General Assembly, December 22, 1951, at 5:00 o'clock, p. m., Eastern Standard Time, be and is hereby rescinded.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

#### ADJOURNMENT SINE DIE

In the House of Representatives, December 22, 1951.

Resolved, (if the Senate concurs) That this Regular Session of the General Assembly adjourns sine die, Saturday, December 22, 1951, at 2:30 o'clock, a. m., Eastern Standard Time.

Ordered, That the Clerk inform the House of Representatives accordingly.

### SENATE RESOLUTION

#### COMMITTEE BE APPOINTED TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURN SINE DIE

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 22, 1951.

Resolved, That a committee of three members of the Senate be appointed to wait upon His Excellency, the Governor, and inform him that the Senate is now ready to adjourn sine die, and to inquire if he has any further communications to make.

#### COMMITTEE APPOINTED TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURN SINE DIE

The PRESIDING OFFICER. The President pro tempore appoints as a committee to notify the Governor that the Senate is ready to adjourn sine die, the gentleman from Delaware, Mr. Watkins; the gentleman from Bucks, Mr. Watson, and the gentleman from Philadelphia, Mr. McCreesh.

### SENATE RESOLUTION

#### COMMITTEE BE APPOINTED TO NOTIFY THE HOUSE THE SENATE IS READY TO ADJOURN SINE DIE

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, December 22, 1951.

Resolved, That a committee of three Senators be appointed to notify the House of Representatives that the Senate is now ready to adjourn sine die.

#### COMMITTEE APPOINTED TO NOTIFY THE HOUSE THE SENATE IS READY TO ADJOURN SINE DIE

The PRESIDING OFFICER. The President pro tempore appoints as a committee to notify the House that the Senate is ready to adjourn sine die, the gentleman from Crawford, Mr. Mahany; the gentleman from Allegheny, Mr. Fleming, and the gentleman from York, Mr. Leader.

#### NOTIFICATION THE HOUSE IS READY TO ADJOURN SINE DIE

A committee from the House of Representatives, being introduced by the Sergeant-at-Arms, informed the Senate that the business of this Session is completed and the House of Representatives is ready to adjourn sine die at 2:30 o'clock, a. m., this day.

The PRESIDING OFFICER. The Chair thanks the committee on behalf of the Senate.

#### REPORT OF COMMITTEE TO NOTIFY THE HOUSE THE SENATE IS READY TO ADJOURN SINE DIE

Mr. MAHANY. Mr. President, we, the committee appointed on behalf of the Senate to inform the House of Representatives that the Senate is ready to adjourn sine die, have performed that duty and notified the House of Representatives the Senate stands ready to adjourn sine die.

The PRESIDING OFFICER. The Chair accepts the report of the Committee and discharges the committee with the thanks of the Senate.

#### REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURN SINE DIE

Mr. WATSON. Mr. President, the committee appointed on behalf of the Senate to inform His Excellency, the Governor, that the Senate is ready to adjourn sine die, has performed that duty and his inquired of His Excellency, the Governor, whether he has any communications to deliver to the Senate; the Governor has replied



that he has no communications and he wishes to thank the members of the Senate for the duties they have performed.

The PRESIDING OFFICER. The Chair accepts the report of the committee and discharges the committee with the thanks of the Senate.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### ADJOURNMENT SINE DIE

The PRESIDENT pro tempore. This being the day and hour fixed by concurrent resolution for the final adjournment and the hour of 2:30 o'clock, a. m., having arrived, I hereby declare the 139th Regular Session of the Senate of Pennsylvania adjourned sine die.

## HOUSE OF REPRESENTATIVES

SATURDAY, December 22, 1951.

The House met at 12:01 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PRAYER

Reverend John Yates, guest Chaplain and clergyman of the Presbyterian Church, Harrisburg, offered the following prayer:

O Lord, Our Heavenly Father, grant Thy blessing upon the members of this House. When this session ends, may they find their work has been well done. May they travel in Thy care safely to their own homes. May we all remember that much of the world dare not celebrate Christmas in its traditional way. May we cherish our religious freedom and each in his own way approach this Christmastide with reverence. In Christ's Name, Amen.

### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Friday, December 21, 1951? If not, and without objection, the Journal is approved.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILL No. 1697

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, December 21, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1697, Printer's No. 1115, entitled "An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and or property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property

as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' by increasing the rate of tax in certain instances from ten per centum to fifteen per centum."

JOHN S. FINE.

### BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 772, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 1372 thereof a new section to read as follows

Section 1372.1 Day Care Training Centers for the Proper Training of Mentally Handicapped Children The Department of Public Instruction is hereby authorized to provide maintain administer supervise and operate day care training centers for the proper training of mentally handicapped children who have been declared to be uneducable in the public schools but who are considered to be trainable Pupil eligibility for day care training centers shall be determined according to standards and regulations promulgated by the State Council of Education The school district in which a child who is enrolled in any day care training center is resident shall pay to the Commonwealth a sum equal to the district's "tuition charge per elementary pupil" for the preceding school term as provided for in section two thousand five hundred sixty-one of the act to which this is an amendment In order to facilitate such payments by the several school districts the Superintendent of Public Instruction shall withhold from any moneys due to such district out of any State appropriation the amounts due by such school districts to the Commonwealth All amounts so withheld are hereby specifically appropriated to the Department of Public Instruction for the maintenance and administration of day care training centers for mentally handicapped children

Section 2 Section 1375 and 2509 of said act are hereby amended to read as follows

Section 1375 Uneducable Children Provided for by Department of Welfare The State Council of Education shall establish regulations for temporary or permanent exclusion from the public school of children who are found to be uneducable and untrainable in the public schools Any child who is reported by [an approved mental clinic or by] a person who is certified as a public school psychologist [or psychological examiner] as being uneducable and untrainable in the public schools may be reported by the board of school directors to the Superintendent of Public Instruction and when approved by him in accordance with the regulations of the State Council of Education shall be certified to the Department of Welfare [in accordance

with regulations approved by the State Council of Education After any such board shall have thus reported any child it] as a child who is uneducable and untrainable in the public schools When a child is thus certified the public schools shall be relieved of the obligation of providing education or training for such child The Department of Welfare shall thereupon arrange for the [admission] care training and supervision of such child [at an appropriate institution for the training of] in a manner not inconsistent with the laws governing mentally defective [children due consideration being given to the availability of space in such institution] individuals

Section 2509 Payments on Account of Courses for Handicapped Children Every school district regardless of classification shall be paid by the Commonwealth for every school term the sum of twenty dollars (\$20) per pupil in average daily membership in a course or courses for mentally handicapped children and the sum of thirty dollars (\$30) per pupil in average daily membership in a course or courses for physically handicapped children approved by the Superintendent of Public Instruction

Section 3 The sum of Fifty Thousand Dollars (\$50,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the purpose of maintaining administering supervising and operating day care training centers for mentally handicapped children

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarneri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bombberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dairymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisley,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
		Riley, R. L.,	Young,

Gibson,  
Gleason,  
Good,

Lyons,  
Madden,  
Madigan,

Robertson,  
Rose,  
Rosen,

Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1324, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the registration year for commercial motor vehicles motor buses motor omnibuses trucks trailers and semi-trailers and certain exemptions in accordance therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 413 and 510 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) are hereby further amended to read as follows

Section 413 Expiration of Registration All registrations shall be issued for a registration year commencing on



April first of one year and expiring March thirty-first of the year following provided that All registrations for commercial motor vehicles motor buses motor omnibuses trucks tractors trailers and semi-trailers for the registration year one thousand nine hundred fifty-three shall expire May thirty-first one thousand nine hundred fifty-four Provided further that no registration for a commercial motor vehicle motor bus motor omnibus truck tractor trailer or semi-trailer shall be issued for the registration year one thousand nine hundred fifty-three prior to the first day of June one thousand nine hundred fifty-three unless the application therefor is accompanied by the annual fee prescribed plus an additional fee equal to one-sixth thereof Commencing with the registration year one thousand nine hundred fifty-four and thereafter registrations for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers shall be issued for a registration year commencing on June first of one year and expiring May thirty-first of the year following Registrations shall also expire when suspended for cause by the secretary and immediately upon the transfer of ownership or the destruction of the vehicle Registrations for the succeeding year may at the option of their holders be used on and after [March fifteenth of the current year] the fifteenth day of the month immediately preceding the beginning of the current registration year

#### Section 510 The Expiration of Registration Plates

(a) All registration plates shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following provided that all registration plates for commercial motor vehicles motor buses motor omnibuses truck tractors trailer and semi-trailers for the registration year one thousand nine hundred fifty-three shall expire May thirty-first one thousand nine hundred fifty-four commencing with the registration year one thousand nine hundred fifty-four and thereafter registration plate for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers shall be issued for a registration year commencing on June first of one year and expiring May thirty-first of the year following Registration plates shall also expire when suspended for cause by the secretary The registration plate or plates for the succeeding year may at the option of the owner be used on and after [March fifteenth of the current year] the fifteenth day of the month immediately preceding the beginning of the current registration year

(b) No motor vehicle trailer or semi-trailer shall be operated with a registration plate or plates which have expired nor without registration plate or plates on as required by this act the claim by the owner or operator that the registration plate or plates for the current year have been applied for but not received

Penalty Any person violating any of the provisions of subsection (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of tenn (\$10.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 Subsection (f) of section 722 of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1102) is hereby further amended to read as follows

#### Section 722 Exemptions from Fees

\* \* \* \* \*

(f) No fee shall be charged for transfer of registration for the succeeding year when such transfer has been received and completed by the department prior to [April first of such succeeding year] the first day of such succeeding registration year

Section 3 The purpose and intent of this act is commencing with the registration year one thousand nine hundred fifty-four to change the registration year for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers from the period of April first to March thirty-first to the period June first to May thirty-first without any ultimate loss of revenue for the

use of the highways To accomplish that end registrations and registration plates issued for the registration year one thousand nine hundred fifty-three for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers shall be valid until May thirty-first one thousand nine hundred fifty-four

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Rovanssek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harnay,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnar,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
Duffy,	Kubacki,	Pfaff,	Waterhouse,
Dunn,	Lafore,	Pichney,	Watkins,
Erb,	Lederer,	Pitzer,	Weidner,
Ewing,	Leisey,	Polaski,	Welsh,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Filip,	Leven,	Price, R. A.,	Whalley,
Filo,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reldenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,

Speaker

#### NAYS—1

DuBois,

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1544, as follows:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel



motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Fuel Use Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" shall mean and include a partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" shall mean and include a corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Dealer-user" shall mean and include any person who delivers or places fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or who uses fuels within the meaning of the word "use" as defined in this section

"Department" shall mean and include the Department of Revenue of this Commonwealth

"Fuels" shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel vehicles of any kind or character on the public highways except such fuels as are defined as liquid fuels by the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) known as "The Liquid Fuels Tax Act" and its amendments

"Magistrate" shall mean and include a magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Motor Vehicles" shall mean and include all vehicles engines machines or mechanical contrivances which are propelled by internal combustion engines or motors

"Person" shall mean and include every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Public Highways" shall mean and include every way or place of whatever nature open to the public as a matter of right including a toll highway for the purpose of vehicular travel excepting those that are closed or that portion of any stretch which is closed to such travel by order of the State Highway Department for the purpose of construction or reconstruction

"Secretary" shall mean and include the Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Use" shall mean and include (a) the importation into this Commonwealth of fuels in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in excess of fifty (50) gallons and (b) the delivery or placing of fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in this Commonwealth for use in whole or part for the generation of power to propel such motor vehicle on the public highways of this Commonwealth The delivery of fuels into such supply tanks or other fueling receptacles or devices shall constitute a conclusive presumption that the fuel

so delivered is to be used in propelling such motor vehicles on the public highways of this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Application for License Licensing of Dealers Bond or Deposit of Collateral Securities (a) On and after the effective date of this act it shall be unlawful for any dealer-user to engage in or thereafter begin to engage in the use or sale and delivery of fuels within this Commonwealth unless a license shall have been issued to him as hereinafter prescribed

Penalty Each day in which any dealer-user shall engage in the use of fuels within this Commonwealth without a license as required by this act shall constitute a separate offense and he shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(b) Every person desiring to operate as a dealer-user shall file an application for a license with the department The application for license shall be made upon a form prescribed prepared and furnished by the department upon request and shall set forth the name under which the applicant transacts or intends to transact business the location of his principal place of business in this Commonwealth and such other information as the department may require If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for the purpose of identification The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by the executive officers thereof or person specifically authorized by the corporation to sign the application to which shall be attached written evidence of their authority

(c) Upon approval of the application and the bond hereinafter required the department shall grant and issue to each dealer-user a license or licenses which shall at all times be posted conspicuously at all places where fuels are stored for use or for sale and delivered Licenses shall not be assignable or transferable and shall be valid only for the dealer-user in whose name issued licenses shall be displayed for identification purposes by dealer-users to any officer of the Pennsylvania State Police upon request Licenses shall continue permanently in effect unless surrendered or suspended or revoked for cause by the secretary

Penalty Any person assigning or attempting to assign or transfer a license or who shall fail to display his license as required herein shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) for each offense and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(d) A license shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than five hundred dollars (\$500) Every such bond shall have as surety a duly authorized surety company approved by the Insurance Department of this Commonwealth and signed by a resident Pennsylvania agent of the surety conditioned that the dealer-user shall faithfully comply with the provisions of this act during the effective period of his license The department may require any dealer-user to furnish such additional surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fee due by him

For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by a written notice require any dealer-user to fur-



nish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the license or licenses issued to him and shall collect all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him

Any surety on a bond furnished by a dealer-user as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from date upon which the surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period The department shall promptly after receiving such request notify the dealer-user who furnished the bond and unless the dealer-user shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by the Insurance Department of this Commonwealth the department shall forthwith cancel the dealer-user's license or licenses Whenever a new bond shall be furnished by the dealer-user as aforesaid the department shall conceal and surrender the original bond of the dealer-user as soon as it shall be satisfied that all liability under the original bond has been fully discharged

(e) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer negotiable or assigned bonds which are direct obligations of the United States Government or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person as collateral guarantee of payment of all liabilities accruing under the provisions of this act The State Treasurer shall issue to such person and to the Department of Revenue a certificate of such deposit The said securities shall be retained by the State Treasurer after the termination of the license of such person whether by his own act or the action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue prior to the issuance of certification by the department that all fuel taxes penalties interest fees fines uncollectible check fees and Attorney General's fee have been paid The department shall furnish the State Treasurer with a copy of such certification and authorize the return of said securities by the State Treasurer to the owner

(f) Upon the surrender or revocation for cause of the license of any dealer user the department shall return surety bonds for cancellation or deposits made in accordance with the provisions of this section only after it is satisfied that all fuel taxes penalties interest fees and fines due the Commonwealth under the terms of the bond and the provisions of this act have been paid

Section 4 Imposition of Tax Exemptions A permanent excise tax at the rate of three cents (3c) a gallon or fractional part thereof is hereby imposed on all dealer-users upon the use as herein defined of fuel within this Commonwealth to be computed in the manner hereinafter set forth The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels used within the Commonwealth and Provided further That no tax is hereby imposed upon (1) any fuel that is used by or sold and delivered to the United States government when such sales and deliveries are supported by documentary evidence satisfactory to the department or (2) upon any fuel not in excess of fifty (50) gallons brought into this Commonwealth in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or (3) upon any fuel used by or sold or delivered for use in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or equipment when such sales and deliveries are supported by

documentary evidence satisfactory to the department or (4) upon any fuel used by or sold or delivered to the Commonwealth of Pennsylvania and its political subdivisions when such sales and deliveries are supported by documentary evidence satisfactory to the department

In addition to such tax an additional State excise tax of two cents (2c) a gallon or fractional part thereof is hereby imposed and assessed on all dealer-users upon the use as herein defined of fuel within this Commonwealth within the limitations of the provisions of this section for the period beginning February first one thousand nine hundred fifty-two and ending on the thirty-first day of May one thousand nine hundred fifty-three

Section 5 By Whom Tax is Payable Every dealer-user upon whom a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act It shall be the duty of each dealer-user to furnish to the department such information concerning such use as the department may require

Section 6 Dealer-user's Reports and Payments of Tax Discount Allowed Interest and Penalties For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every dealer-user on or before the last day of each month to file with the department upon forms prescribed prepared and furnished by the department a report under oath or affirmation of the fuels used by him within this Commonwealth during the preceding month This report shall include all such information as the department may require and prescribe Dealer-users having more than one place of business within this Commonwealth shall combine in each report the use of fuels at all such separate places of business

Dealer-users at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuels used by him during the preceding month Fuels not accounted for to the satisfaction of the department shall be deemed to have been used for taxable purposes and taxes imposed thereon and collected by the department

If the report required herein is filed and tax paid on time a discount of two per centum (2%) of the gross amount of tax shall be allowed the dealer-user

The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum (1%) per month or fractional part of a month from the date they are due and payable until paid

If any dealer-user shall fail neglect or refuse to make any report or payment as herein required an additional ten per centum (10%) of the gross amount of tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of a dealer-user may forthwith be suspended or revoked by the department and required to be surrendered to the department

Section 7 Determination and Redetermination of Tax Penalties and Interest Due (a) If any dealer-user shall fail neglect or refuse to secure a license as provided in this act or to file a report and pay the tax imposed by this act or if the department is not satisfied with the report and payment of tax made by any dealer-user under the provisions of this act the department is hereby authorized and empowered to make a determination of the tax due by such dealer-user based upon any information which it may have in its possession or may obtain from other sources

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such dealer-user Within thirty (30) days after notice of any such determination such dealer-user may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within six (6) months after the date of any petition to dispose of any petition for redetermination No-



tice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of action on petition by the department

(c) Within sixty (60) days after notice by the department of the action taken on any petition for redetermination filed with it the dealer-user against whom such determination was made may be petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the board of Finance and Revenue may prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board of any such petition within six (6) months the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) The department is hereby empowered to redetermine taxes and to authorize adjustments on current fuel use tax reports of dealer-users of overpayments within ninety (90) days of due date and payment providing information in the department's possession warrants such adjustment

Section 8 Examination of Records and Equipment The department or any employee appointed in writing by it or any officer of the Pennsylvania State Police is hereby authorized to examine the books and records of account storage tanks motor vehicles and any other equipment of any dealer-user carrier or any other person pertaining to the use sale or delivery of fuels taxable under this act to determine the use or for the purpose of ascertaining whether or not the tax imposed by this act has been paid or to verify the accuracy of any report or payment made under the provisions of this act or to determine the financial responsibility of any dealer-user or the accuracy of any financial statement required to be submitted to the department under the provisions of this act or regulations of the department

The secretary or his deputy is hereby authorized and shall have the power in the enforcement of provisions of this act to hold hearings to administer oaths to witness and to take the sworn testimony of any person and cause it to be transcribed into writing

The secretary or his deputy is hereby authorized to issue subpoenas and subpoenas duces tecum and compel the attendance of witnesses and shall have the power to conduct such investigations as he may deem necessary If any person shall refuse access to such books and records of account or other documents or any equipment or if a person shall fail or refuse to obey such subpoenas or subpoenas duces tecum or shall fail or refuse to testify before the secretary or his deputy the Court of Common Pleas of Dauphin County or of any other county in which the dealer-user resides or has its principal place of business or may be found upon application of the secretary or his deputy and after notice to the dealer-user and hearing may issue an order requiring such dealer-user to appear before the secretary or his deputy in obedience to such subpoena and testify and produce books records or other documents or equipment in compliance with such subpoena and upon

refusal of the dealer-user to obey such order of the court punish such dealer-user for contempt

#### Section 9 Regulations Records Required and Retention of Records by All Dealer-users and Carriers

(a) The secretary shall have the authority to prescribe all forms upon which reports shall be made to the department and any other forms required for the proper administration of this act and shall prescribe and cause to be published all needful rules and regulations for the enforcement of this act

(b) Every dealer-user shall maintain issue and keep as the case may be for a period of two (2) years complete records of fuels received used sold or delivered within this Commonwealth by such dealer-user including suitable books and records of accounts and such other pertinent papers as may be required by regulation Every carrier shall keep similar records with respect to deliveries of products capable of being used as fuels

(c) Any person shall at the request of the department furnish to it information with respect to all sales and deliveries made by him to licensed dealer-users of such products capable of being used as fuels as may be designated by regulations issued by the department

Penalty Any person failing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for not more than thirty (30) days for each offense or both

Section 10 Disposition and Use of Tax The permanent and additional State taxes collected under the provisions of this act less discounts allowed shall be paid into the Liquid Fuels Tax Fund and the Motor License Fund in the same proportions as are liquid fuels taxes and are hereby specifically appropriated for the same uses and purposes

Section 11 Discontinuance of Business by Dealer-user Whenever a dealer-user engaged in the "use" as defined in this act of fuels ceases to be a dealer-user by reason of discontinuance sale or transfer of his business it shall be his duty to so notify the department in writing within five (5) days after the discontinuance sale or transfer takes effect His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof It shall also be the duty of dealer-users within ten (10) days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest penalties fees and fines that may be due by him and to surrender to the department the license or licenses issued to him by the department

Penalty Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

Section 12 Suspension or Revocation of Licenses Whenever the department finds that the holder of a license or licenses has failed to comply with the provisions of this act or regulations issued by the department the department shall notify such holder and afford him a hearing on five (5) days' written notice except as hereinbefore provided After such hearing the department may revoke or suspend the dealer-user's license or licenses and upon suspending or revoking any license shall demand the holder thereof to surrender to it immediately all licenses issued to him and the dealer-user shall surrender within five (5) days all licenses to the department as hereby required

Any holder of a dealer-user's license aggrieved by the decision of the department in suspending or revoking his license may within thirty (30) days appeal to the Court of Common Pleas of Dauphin County from the decision of the department in the manner provided by law for appeals in the case of tax settlements No such appeal shall act as a supersedeas but the suspension or revocation of the license by the department shall remain in full force and effect pending the disposition of the appeal



Penalty Any person failing neglecting or refusing to surrender a license suspended or revoked by the department as provided herein shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not less than one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

Section 13 Lien of Taxes Penalties Interest Fees and Fines (a) All taxes herein imposed and unpaid penalties interest fees and fines due by any person shall be a lien upon the franchises and property both real and personal of such person from the date said taxes penalties interest fees and fines are due and payable as provided in this act and if and when recorded as provided in clause (b) hereof shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties interest fees and fines shall have priority over a mortgage only if the liens thereof were filed of record as provided in clause (b) hereof prior to the recording of the mortgage

(b) Liens and statements of all taxes penalties interest fees and fines herein imposed due and unpaid certified by the secretary or his representative shall be transmitted to the prothonotaries of the respective counties of the Commonwealth through the Department of Justice to be entered of record as of the date due and payable upon which record is shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a licensed dealer-user as herein defined without first giving the department thirty days notice of the sale and a statement containing the following information

- 1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is to be made
- 2 Name of the person whose property or franchise is to be sold
- 3 The time and place of sale
- 4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish the sheriff receiver trustee assignee master or other officers having charge of the sale a certified statement of all fuel taxes penalties interest fines and fees due the Commonwealth as liens against such person and in case no such liens exist a certificate setting forth that fact which certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all taxes penalties interest fees and fines owing by any licensed dealer-user which are of record in the department as a lien or which may become a lien against any person under the provisions of this act

Section 14 Collection of Unpaid Taxes Whenever the taxes penalties interest fees and fines imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of the department's action on the petition if no petition for review has been filed or within sixty days from the date of decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall request the Department of Justice to collect the same

On all claims for taxes penalties interest fees and fines hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the dealer-user for the use of the Commonwealth and Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dol-

lars (\$10,000) and three (3) per centum upon the amount of recovery in excess of ten thousand dollars (\$10,000) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the licensed dealer-user and shall be a lien against his property in like manner as the amount of the claim

Section 15 Registration of Carriers and Reports Required of Carriers Every person engaged in or intending to engage in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner for hire to a dealer-user as defined in this act shall register with the department on forms prescribed and furnished by the department upon request

Every person engaged for hire in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner to a dealer-user either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without this Commonwealth shall report under oath or affirmation to the department or on before the last day of each month for the preceding month all deliveries of such products capable of being used as fuels taxable under this act as may be designated by regulations issued by the department made to points within this Commonwealth Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of such products which were transported and delivered together with date of delivery and any other information which the department may require

Penalty Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction before the magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for thirty (30) days for each offense or both

Section 16 Refunds The Board of Finance and Revenue may refund to dealer-users tax penalties and interest provided by this act and paid by them as a result of an error of law or of fact or of both law and fact Claims for refund shall be filed with the Board of Finance and Revenue within one year of the date of overpayment and shall be made under the procedure prescribed by This Fiscal Code

All refunds of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in the amounts equal to the original distribution and the payment of such moneys into said funds

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized Estimates of the amounts to be expended from these funds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisitions of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 17 Enforcement The department shall be charged with the enforcement of this act Such employees of the Commonwealth as are designated as "Pennsylvania State Police" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs



shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section 18 Disposition of Fees Fines and Foreiture Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeitures that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury by the department and credited to the Motor License Fund

Section 19 Exchange of Information Among the States Issuance and Sale of Lists and Certified Copies of Records The secretary or his representatives shall upon request receive from the officials to whom are entrusted the enforcement of the fuel tax laws of any other state forward to such officials any information for governmental use which it may have in its possession relative to the manufacture receipt sale use transportation shipment or delivery by any person of fuel

The department shall prepare issue and distribute such lists of dealer-users and carriers as may be necessary for the proper administration and enforcement of this act without charge Sales of such lists as are issued by the department under these provisions may be made for other than governmental use and for each list a fee of ten dollars (\$10) shall be charged payable in advance

The fee for each certified copy or certified photostat copy of any department record shall be one dollar (\$1) payable in advance Provided That no fee shall be charged for certified copies or certified photostat copies of any departmental records furnished to any State or Federal Government authorities

Section 20 Uncollectible Checks Whenever any check issued in payment of tax penalties interest fees or fines imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars (\$5) per hundred dollars or fractional part thereof plus all protest fees to the person offering such check in payment

Section 21 Violation (a) Any person who shall fail neglect or refuse to make the report or pay the tax penalties and interest imposed by this act or who shall refuse to permit representatives of the department or the Pennsylvania State Police to examine his books and records of account storage tanks motor vehicles or other equipment pertaining to the use sale or delivery or importation of fuels within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the quantities of fuels used sold or delivered or to avoid the payment of the whole or any part of the tax penalties or interest due shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failure to make the report required and attend to the payment of tax imposed by this act Such fines shall be in addition to any penalty imposed by any other section or subsection of this act Upon conviction all of the guilty dealer-users' licenses shall be revoked

(b) It shall be unlawful for any person to commit any of the following acts

(1) To display or represent as one's own or cause or permit to be displayed any license not issued to the person displaying it or to have unlawfully in one's possession any unsigned fictitious or altered license or any license which is invalid as a result of cancellation suspension revocation by the department or expiration

(2) To give use or enter a false or fictitious name or give use or enter a false or fictitious address in any investigation or on any application business record or report required under the provisions of this act or other-

wise misrepresent or commit a fraud on any application or business record required under the provisions of this act

Penalty Any person violating any of the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one year or both

Section 22 Carriers registered with the department as such under the provisions of the Fuel Use Tax Act of 1947 as amended shall not be required to reregister under this act

Section 23 Saving Clause (a) The passage of this act shall not be taken or construed to relieve any person association or corporation whatsoever from the payment of any tax penalty or interest due or owing the Commonwealth under any laws in force at the time this act becomes effective or to affect or terminate any petitions investigations prosecutions legal or other proceedings pending under such laws or to prevent the commencement of any legal proceedings for violations of such laws heretofore committed or for the recovery of taxes penalties or interest due or owing to the Commonwealth under such laws

(b) All taxes penalties and interest due from users of fuels under laws heretofore in force that are collected or received by the department after the effective date of this act shall be transmitted to the State Treasury through the department and credited to the Liquid Fuels Tax Fund and the Motor License Fund in the proportion provided in the act under which the tax was collected

Section 24 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 25 Acts of Assembly Repealed The act approved the second day of June one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" and its amendments is hereby repealed

All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 26 Effective Date This act shall become effective on the first day of February one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando.	Goodling.	Markley.	Rovansek.
Andrews.	Graybill.	Maxwell.	Royer.
Banker.	Greenwood.	Mazza.	Rubin.
Barkdoll.	Greer.	McConnell.	Sarra.
Baumunk.	Guarnieri.	McCormack.	Sax.
Bear.	Gutendorf.	McCullough.	Scanlon.
Beaver.	Guthrie.	McDermitt.	Schmidt.
Beech.	Hagerty.	McGee.	Schuster.



Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Brelschi,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolanklewica,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBols,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillp,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 666, as follows:

An Act to further amend clause (a) of Section 503 of the act approved the ninth day of April one thousand nine hundred twenty-one (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and

certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear and determine certain petitions for refund by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of Section 503 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 528) is hereby further amended to read as follows

Section 503 Refunds of State Taxes License Fees Et Cetera The Board of Finance and Revenue shall have the power and its duty shall be

(a) To hear and determine any petition for the refund of taxes license fees penalties fines bonus or other moneys paid to the Commonwealth and to which the Commonwealth is not rightfully or equitably entitled and upon the allowance of any such petition to refund such taxes license fees penalties fines bonus or other moneys out of any appropriation or appropriations made for the purpose or to credit the account of the person association corporation body politic or public officer entitled to the refund The jurisdiction of the Board of Finance and Revenue to hear and determine a petition for refund as aforesaid shall not be affected or limited by the fact that proceedings under sections [1102] 1103 or 1104 of this act involving the same tax or bonus and period for which a refund is sought are pending have been withdrawn or have been otherwise closed provided such proceedings relate to other objections than those raised in the petition for refund or the fact that a petition under section 1102 of this act involving the same tax or bonus and period and involving either the same or different questions than those raised in the petition for refund is pending has been withdrawn or has been otherwise closed All such petitions for refund must be filed with the board within two years of the payment of which refund is requested or within two years of the settlement in the case of taxes or bonus whichever period last expires except

(1) Where a petition for refund filed by a domestic or foreign corporation involves the valuation of its capital stock or in case of a foreign corporation the valuation of its tangible property for bonus purposes or where a

petition for refund filed by a bank title insurance or trust company involves the valuation of its shares of stock such petition must be filed with the board within one year of the payment of which refund is requested or within one year of the settlement of such taxes or bonus whichever period last expires

(2) When the estate upon which any transfer inheritance tax has been paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an overvaluation of that portion of the estate on which the tax has been assessed and paid which overvaluation could not have been ascertained within said period of two years In such case the application for repayment shall be made to the Board of Finance and Revenue within one year from the termination of such litigation or ascertainment of such overvaluation

(3) When a court of record has adjudged a person to be legally dead and thereafter in the settlement of his or her estate a transfer inheritance tax shall have been paid on such estate and after such payment has been made such person shall reappear and the court shall rescind its order and adjudication In such case the petition to the board shall be filed within six months after the court shall have rescinded its order and adjudication

(4) When any tax or other money has been paid to the Commonwealth under a provision of an act of Assembly subsequently held by final judgment of a court of competent jurisdiction to be unconstitutional or under an interpretation of such provision subsequently held by such court to be erroneous In such case the petition to the board [shall] may be filed either prior or subsequent to such final judgment but must be filed within five years of the payment of which a refund is requested or within five years of the settlement of such taxes bonus or other moneys due the Commonwealth whichever period last expires [But the limitation of five years herein prescribed shall not be deemed to apply in the case of applications for refunds of taxes paid on liquid fuels by political subdivisions prior to the effective date of this amendment where by court decision it has been held that the collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment The aforesaid limitation of five years shall likewise not be deemed to apply in the case of applications for refunds of taxes paid on certain alcohol usable for beverage purposes under the provisions of the act approved the twenty-second day of November one thousand nine hundred and thirty-three (P. L. 5) entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" where by court decision it has been held that the imposition or collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment] The board shall have jurisdiction to hear and determine any petition for refunds filed prior to such final judgment only if at the time of the filing thereof proceedings are pending in a court of competent jurisdiction wherein the claims of unconstitutionality or erroneous interpretation made in the petition for refund may be established and in such case the board shall not act upon the petition for refund until the final judgment determining the question or questions involved in such petition has been handed down

Section 2 The provisions of this act shall become effective immediately upon final enactment and the jurisdiction of the Board of Finance and Revenue to hear and determine petitions for refund as such jurisdiction is prescribed in this act shall extend to all petitions for refund

on file with said board at the time of final enactment of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenen,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coyle,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varner,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBols,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 888, as follows:

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitra-



tion" by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and the payment of fees and costs in such cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" is hereby amended by adding after Section 8 thereof a new section to read as follows

Section 8.1 The several courts of common pleas may by rules of court provide that all cases which are at issue where the amount in controversy shall be one thousand dollars (\$1000) or less except those involving title to real estate shall first be submitted to and heard by a board of three (3) members of the bar of the county for consideration and award Cases which are not at issue and whether or not suit has been filed may be referred to the board of arbitration by agreement of reference signed by counsel for both sides in the case Said agreement of reference shall define the issues involved for determination by the board and when agreeable shall also contain stipulations with respect to facts submitted or agreed o r defenses waived In such cases the agreement of reference shall take the place of the pladings in th case and be filed of record

Section 2 Section 9 of said act is hereby amended to read as follows

Section 9 [Provided That it] It shall not be lawful for the plaintiff in any suit to enter [such] the rule provided for in section eight hereof until after a [declaration or statement of the cause of action] complaint shall have been filed [by him]

Section 3 Section 13 of said act is hereby amended by adding at the end thereof two new clauses to read as follows

Section 13 On the day fixed for the appointment of arbitrators if both parties attend either in person or by their agents or attorneys the arbitrators shall be chosen in the following manner viz

\* \* \* \* \*

VII In all cases under Section 8.1 hereof a board of arbitrators consisting of three members of the bar of the court in which such case is pending shall be appointed by the prothonotary from the list of attorneys qualified to act The names of attorneys from said list shall be taken in alphabetical order except where attorneys are excused on account of incapacity or illness Not more than one member of a firm or association of attorneys shall be appointed to the same board The first member named shall be chairman of the board

VIII The board of three members of the bar shall be appointed ten (10) days after the case is at issue or after filing of the agreement of reference upon praecipe filed by counsel for either party with notice to the opposing counsel Where no appearance has been entered i ntrespas actions the board shall be appointed on praecipe of plaintiff's counsel to hear the case and pass upon the question of damages The board shall make its report and render its award within twenty (20) days after hearing

Section 4 Section 27 of said act is hereby amended by adding at the end thereof a new clause to read as follows

Section 27 Either party may appeal from an award of arbitrators to the court in which the cause was pending at the time the rule or agreement of reference was entered under the following rules regulations and restrictions viz

\* \* \* \* \*

V In all cases under Section 8.1 hereof any party appealing shall first repay to the county the fees of the members of the board of arbitrators herein provided for Such fees shall not be taxed as costs or be recoverable in any proceeding All appeals shall be de novo

Section 5 Section 32 of said act is hereby amended to read as follows

Section 32 The costs to be paid by the appellant as [hereinbefore] herein required may nevertheless be taxed in the appellant's bill and recovered of the adverse party if in the event of the suit the appellant is entitled to recover costs agreeably to the provisions of this act Provided That the compensation of the arbitrators repaid to the county by appellant as provided by Clouse V of Section 27 of this act shall not be taxed as costs or recovered from the adverse party

Section 6 Section 40 of said act is hereby amended by adding immediately after Clause V thereof a new clause to read as follows

Section 40 Referees and arbitrators in every case as aforesaid or a majority of them shall have power

\* \* \* \* \*

VI The arbitrators shall not be required to make a record of the proceedings before them If any party shall desire a record the arbitrators shall provide a report and cause a record to be made and the party requesting the same shall pay the cost thereof

Section 7 Section 49 of said act is hereby amended to read as follows

Section 49 Every referee and arbitrator shall be entitled to receive the sum of one dollar for every day necessarily employed by him in the hearing and determination of the cause submitted to him

In all cases under Section 8.1 of this act the compensation of each member of the board of arbitrators shall be determined by the court and paid by the county for each case heard upon the filing of the report and award if any Such fees shall not be taxed as costs nor follow the award as other costs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Greenwood,	Mazza,	Royer,
Andrews,	Greer,	McConnell,	Rubin,
Banker,	Guarnieri,	McCormack,	Sarraf,
Barkdoll,	Gutendorf,	McCullough,	Sax,
Baumunk,	Guthrie,	McDermitt,	Scanlon,
Bear,	Hagerty,	McGee,	Schmidt,
Beaver,	Hall,	McInroy,	Schuster,
Beech,	Hamilton, R. K.,	McKinney,	Scott,
Berkstresser,	Hamilton, W. H.,	McMillen,	Seyler,
Blair,	Harney,	McNally,	Shoemaker,
Bloom,	Haudenschild,	Metz,	Shotwell,
Boles,	Headlee,	Mihm,	Smith,
Bolton,	Helm,	Mikula,	Snider,
Bomberger,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelsach,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Swope,
Cella,	Jones, G. E.,	Moran,	Tahl,
Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendenling,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Ooyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varnier,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrosky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Farster,	Leven,	Price, R. A.,	Whalley,



Filip,	Light,	Reader,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,	Maxwell,	Rovansek,	Speaker.
Graybill,			

NAYS—1

DuBois,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 889, as follows.

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No 164) is hereby further amended to read as follows

Section 3704 Creation of Recreation Board The authority to supervise and maintain recreation places may be vested in any existing body or board or in a recreation board as council shall determine Council may equip operate and maintain the recreation places as authorized by this act Such authorities may for the purpose of carrying out the provisions of this article employ play leaders recreation directors supervisors superintendents or any other officer or employees as they deem proper [The] Where more than one-half the full costs of the supervision and maintenance of the recreation places including the compensation of all the officers and employees are borne by the city the compensation of such officers and employees shall be fixed by council provided however that in such cases council may delegate this power to the recreation commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,

Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Boiton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snyder,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisich,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrnes,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnier,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 928, entitled: .

An Act to further amend Section 205 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State ormal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments



boards and commissions shall be determined" by fixing the compensation of members of the State Police Force

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

#### SENATE MESSAGES

##### CONCURRENCE IN HOUSE RESOLUTIONS

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 21, 1951.

Resolved (if the Senate concur), That House Bill No. 772, Printer's No. 560, entitled

An Act to amend the act approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction, and the care, training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation

be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 21, 1951.

Resolved (if the Senate concur), That House Bill No. 1102, Printer's No. 1039, entitled "An act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid,"

be recalled from the Governor for the purpose of further consideration.

#### PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address House.

Mr. Speaker, during the heat of the session, and it was hot at times as we all know, there developed a situation and a period in which tempers were strained and dispositions were ruffled. At that time several per-statements and to make clear their positions in reference sons involved on both sides of the House saw fit to make to insinuations which were made about the efforts and the activities of Members on both sides of the House.

I happen to be one of the individuals who at that time felt compelled to answer some of the insinuations. But in reflection and in the spirit of the season, I think I do not want this session to close without offering my sincere apology for anything I may have said which offended

anyone on either side of the House. I think we should clear the decks, clear the records and go home in the spirit of Christmas.

Thank you very much and at this time I want to wish all of you here a Merry Christmas and a Happy New Year.

#### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address House.

Mr. Speaker, the remarks made by the gentleman from Indiana cause me to wonder whether I have actually been present at all of the sessions of the House; whether there were things said, things done that I did not hear.

I know of no time when tempers were ruffled. I know of no time when there was stress and strain. I have listened attentively and I have heard no unkind words, and certainly I can remember no unseemly insinuations.

I wonder whether the gentleman from Indiana has been living in some cavern of his own creation, and simply imagines that there has been stress and strain, or has thought of something that he did not say and now imagines he said and is apologizing for an incident which never happened?

I return to him his kindly wishes for a joyful, prayerful, thoughtful Christmas.

If there ever was a time when the American people should ponder the meaning of Christmas and think of the value of a non-commercialized Christmas, a Christmas observed in keeping with the traditions of our fathers, that time is now. So, I wish to the gentleman from Indiana and to all the Members a Christmas that knows the peace that can come through meditation concerning the mysteries which the festival of Christmas emphasizes.

#### PERMISSION TO ADDRESS HOUSE

Mr. WATERHOUSE asked and obtained unanimous consent to address House.

Mr. Speaker, now that my good friend from Indiana, Mr. McMillen, has stated his feelings and in a more solemn note my good friend from Cambria, Mr. Andrews has spoken, I think I should say that I am quite a little like the boy who had gotten into a fight and had socked the other guy in the nose.

He was being severely reprimanded by his mother and she said: "Johnny, why did you hit Billy in the nose?"

He said: "Mom, I did not do it on purpose." "What do you mean?" she said.

"No," he said, "I didn't; I swung for his jaw and missed."

#### POEM BY CHIEF PAGE

The SPEAKER. The Chair asks the consent of the House to call on the Chief Page, Benjamin Foltz, to read a poem written by him. The Chair hears no objection.

The Chair recognizes the Chief Page.

The CHIEF PAGE. Mr. Speaker, I wrote a little poem while I was sitting here not doing anything and I hope the Members will like it. This is the way it goes:

Early Saturday morning as I silently stood  
Back of my desk where I always should.



I gazed at the seats where the Members should be,  
I then realized what a session we had,  
And the bills that were passed whether good or bad.  
The session was long and the session was trying  
But at least we got out in time for our Christmas buying.  
So as we come to a close of this session  
I wish to all of you God's Blessings.  
And may you have all of the Season's Greetings  
And may I see you again in the 1953 meeting.

### SENATE MESSAGES

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 187

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

#### SENATE BILL No. 187.

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 187

Mr. HELM. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 187.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 187, entitled: "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law and repealing certain acts inconsistent herewith."

Respectfully submit the following bill as our report:

JOHN R. MEADE,  
R. B. MAHANY,  
EUSTACE BANE,  
(Committee on the part of the Senate.)

ROBERT F. KENT,  
EDWIN W. TOMPKINS,  
HIRAM G. ANDREWS,

(Committee on the part of the House of Representatives.)

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That from and after the effective date of this act the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Munic-

ipal Court of Philadelphia and the judges of the County Court of Allegheny County shall receive the compensation hereinafter provided

Section 2 The annual salary of the Chief Justice of the Supreme Court shall be twenty-five thousand five hundred dollars (\$25,500) and the annual salary of each of the associate judges of said court shall be twenty-five thousand dollars (\$25,000)

Section 3 The annual salary of the President Judge of the Superior Court shall be twenty-three thousand five hundred dollars (\$23,500) and the annual salary of each of the associate judges of said court shall be twenty-three thousand dollars (\$23,000)

Section 4 The annual salary of each of the judges of the courts of common pleas of the first and fifth judicial districts shall be eighteen thousand five hundred dollars (\$18,500)

With the exception of the judges of the courts of common pleas of Dauphin County the annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of more than two hundred and fifty thousand and less than one million inhabitants shall be sixteen thousand dollars (\$16,000) in judicial districts having a population of one hundred thousand and more but less than two hundred fifty thousand inhabitants shall be sixteen thousand dollars (\$16,000) in judicial districts having a population of sixty-five thousand or more and less than one hundred thousand inhabitants shall be fifteen thousand dollars (\$15,000) in judicial districts having a population of less than sixty-five thousand inhabitants fourteen thousand dollars (\$14,000) the amount of the salaries to be paid under this paragraph in the several judicial districts shall be determined and fixed according to the population of such districts as ascertained by reference from time to time to the last preceding decennial United States census

Section 5 The judges of the courts of common pleas of Dauphin County and the judges of the orphans' court of Dauphin County shall each receive twenty thousand dollars (\$20,000) annually

Section 6 In any county where a separate orphans' court is established the annual salary of each judge of the said orphans' court shall be the same as is paid to the judge or judges of the court or courts of common pleas in such county

Section 7 The annual salary of the President Judge of the Municipal Court of Philadelphia shall be fourteen thousand five hundred dollars (\$14,500) and the annual salary of each of the other judges of said court shall be fourteen thousand dollars (\$14,000)

Section 8 The annual salary of the President Judge of the County Court of Allegheny County shall be fourteen thousand five hundred dollars (\$14,500) and the annual salary of each of the other judges of said court shall be fourteen thousand dollars (\$14,000)

Section 9 When any judge learned in the law is called in as now provided by law to assist the judge or judges of any other judicial district such judge so called in shall be entitled to receive for each day he is actually engaged in the performance of such duty the sum of thirty-five dollars (\$35) per day and actual traveling expenses not in excess of ten cents (10c) for each mile traveled to and from the place of holding court in such district

Section 10 The salaries or compensation of the associate judges not learned in the law of the courts of this Commonwealth shall be as follows each such associate judge shall receive six dollars (\$6) per day for every day he may be employed in the discharge of his official duties Provided That the salary of no such associate judge shall be less than one thousand two hundred dollars (\$1,200) annually each of said judges shall continue to be entitled to mileage as now provided by existing law

Section 11 The annual salaries and the compensation of the associate judges not learned in the law hereinbefore provided for shall be paid monthly by warrant of the Auditor General on the State Treasurer

Section 12 The act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the



judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" and the amendments thereto are hereby repealed

Section 13 The provisions of this act shall become effective the first Monday of January one thousand nine hundred fifty-two

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitutions the yeas and nays were taken and were as follows:

## YEAS—148

Amarando,	Greenwood,	Lutty,	Rovansek,
Andrews,	Greer,	Markley,	Royer,
Barkdoll,	Guarnieri,	Maxwell,	Rubin,
Bear,	Gutendorf,	Mazza,	Sarraf,
Beaver,	Guthrie,	McCormack,	Sax,
Beech,	Hagerty,	McDermitt,	Scanlon,
Blair,	Hall,	McGee,	Schmidt,
Bloom,	Hamilton, R. K.,	McInroy,	Schuster,
Bolton,	Hamilton, W. H.,	McMillen,	Seyler,
Bomberger,	Helm,	McNally,	Smith,
Brelsich,	Hersch,	Mihm,	Snider,
Bucchn,	Hewitt,	Mikula,	Sollenberger,
Byrne,	Hocker,	Mills,	Spencer,
Cella,	Hoggard,	Mintess,	Stimmel,
Clapper,	Hunter,	Monroe,	Stoner,
Clendenning,	Johnson,	Moore, H. A.,	Swope,
Conway,	Jones, G. E.,	Muldowney,	Tahl,
Cooper,	Jones, J. M.,	Munley,	Taylor,
Corr,	Jones, P. F.,	Musto,	Thompson, E. F.,
Costa,	Jones, T. H. W.,	Najaka,	Thompson, R. L.,
Dalrymple,	Jump,	Naugle,	Toil,
Davis,	Kamyk,	Needham,	Tompkins,
Dennison,	Keller,	Olsen,	VanSant,
Dougherty,	Kent,	Penglase,	Varner,
Dowling,	Kline,	Peta,	Verona,
DuBois,	Kohl,	Petrosky,	Wachhaus,
Duffy,	Kolankiewicz,	Pettigrew,	Wargo,
Ewing,	Kubacki,	Pitzer,	Welsh,
Fenrich,	Lafore,	Polaski,	Wescott,
Filip,	Lederer,	Price, R. A.,	Westrick,
Filo,	Leonard, L.,	Readinger,	Whalley,
Firmstone,	Leonard, W. C.,	Reidenbach,	Wheeler,
Flack,	Leven,	Reilly, J. M.,	Wilt,
Gaffney,	Light,	Rigby,	Wood,
Geer,	Limper,	Robertson,	Yetzer,
Gibson,	Loftus,	Rose,	Ziegler,
Good,	Lopresti,	Rosen,	Sorg,

Speaker

## NAYS—28

Banker,	Frost,	Miller, H. G.,	Shotwell,
Berkstresser,	Gleason,	Miller, J. C.,	Swartz,
Bower,	Goodling,	Moore, C. E.,	Toomey,
Brown,	Graybill,	Moran,	Weldner,
Dunn,	Lyons,	Price, H. W. Jr.,	White,
Erb,	Madigan,	Reagan,	Young,
Ferster,	McCullough,	Riley, R. L.,	

## NOT VOTING—29

Baumunk,	Headlee,	McConnell,	Scott,
Boles,	Jenkins,	McKinney,	Shoemaker,
Breth,	Kornick,	Metz,	Stank,
Cochran,	Kratz,	Murray,	Varallo,
Coyle,	Leisey,	Pfaff,	Waterhouse,
Harney,	Lovett,	Pichney,	Watkins,
Haudenshield,	Madden,	Poten,	Williams,
		Reese,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 862.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL No. 862.

An act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police

## SENATE MESSAGE

## SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1641.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL No. 1641.

An Act to add Section 599-A to Article V, subsection (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto," by authorizing the appointment of special school police and defining their powers and duties

## SENATE MESSAGES

## AMENDED HOUSE BILLS RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 772.

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction, and the care, training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools; increasing State reimbursements for courses of handicapped children; and making an appropriation.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1324.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the registration year for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers and certain exemptions in accordance therewith

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1544.

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

### SENATE MESSAGE

#### AMENDED SENATE BILLS RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

#### SENATE BILL No. 570.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "one million one hundred ten thousand dollars (\$1,110,000)" and inserting in lieu thereof the following: "one million six hundred ten thousand dollars (\$1,610,000)"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsach,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendening,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	VanSant,
Dalrymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varnar,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
Duffy,	Kubacki,	Pfaff,	Waterhouse,
Dunn,	Lafore,	Pichney,	Watkins,
Erb,	Lederer,	Pitzer,	Weldner,
Ewing,	Leisey,	Polaski,	Weish,
Fenrich,	Leonard, L.,	Polen,	Wescott,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Fillp,	Leven,	Price, R. A.,	Whalley,
Filo,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,

Speaker

#### NAYS—0

#### NOT VOTING—0



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

#### SENATE BILL No. 668.

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges located in the law for the said districts

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 1, by striking out after the word "have" the word "two" and inserting in lieu thereof the word "three."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarrafa,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swartz,
Cella,	Johnson,	Moore, H. A.,	Swope,
Clapper,	Jones, G. E.,	Moran,	Tahl,
Clendenning,	Jones, J. M.,	Muldowney,	Taylor,
Cochran,	Jones, P. F.,	Munley,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cooper,	Jump,	Musto,	Toll,
Corr,	Kamyk,	Najaka,	Tompkins,
Costa,	Keller,	Naugle,	Toomey,
Coyle,	Kent,	Needham,	Wargo,
Dairymple,	Kline,	Olsen,	Varallo,
Davis,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBois,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yetzer,

Gibson,  
Gleason,  
Good,  
Goodling,

Madden,  
Madigan,  
Markley,

Robertson,  
Rose,  
Rosen,

Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 219

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

#### SENATE BILL No. 219.

An Act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State-Federal Social Security Board and conferring powers and imposing duties upon the Board authorizing the Board to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 219

Mr. HELM. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 219.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 219, entitled:

"An act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended; creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions; authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations."

Respectfully submit the following bill as our report:

R. B. MAHANY,  
GEO. N. WADE,  
SAMUEL G. NEFF,

(Committee on the part of the Senate).  
W. STUART HELM,  
NORMAN WOOD,  
HIRAM G. ANDREWS,

(Committee on the part of the House of Representatives.)



An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

**Section 1 Declaration of Policy** In order to extend to employes except those hereinafter excluded from the provisions of the act of the Commonwealth and its political subdivisions and of the instrumentalities of either and to the dependents and survivors of such employes the basic protection accorded to others by the old-age and survivors insurance system embodied in the Social Security Act it is hereby declared to be the policy of the General Assembly subject to the limitations of this act that such steps be taken as to provide such protection to employes of the Commonwealth and its political subdivisions and to the instrumentalities of either on as broad a basis as is permitted under the Federal Social Security Act

**Section 2 Definitions** The following words and phrases shall have the meaning ascribed to them in this section unless the context clearly indicates otherwise

(a) "Social Security Act" means the Act of Congress approved the fourteenth day of August one thousand nine hundred thirty-five Chapter 531 49 Statutes 620 officially cited as the "Social Security Act" (including regulations and requirements issued pursuant thereto) as such act has been and may from time to time be amended

(b) "Federal Insurance Contributions Act" means subchapter A of Chapter 9 of the Federal Internal Revenue Code as such code has been and may from time to time be amended

(c) "Political subdivision" includes a city borough incorporated town township county county institution district school district vocational school district municipal authority and any instrumentality or agency of the Commonwealth or one or more of its political subdivisions or of the Commonwealth and one or more of its political subdivisions but only if such instrumentality or agency is an entity which is legally separate and distinct from the Commonwealth or political subdivision and only if its employes are not by virtue of their relation to such legal entity employes of the Commonwealth or political subdivision except that the limitations upon instrumentalities or agencies of political subdivisions shall not apply in the case of joint-county departments of health There shall be included in a political subdivision as defined herein any department agency board or other means heretofore or hereafter created for the charge or the administration by the political subdivision of property and estates dedicated to charitable uses or trusts now or which shall hereafter become vested in or confided to the political subdivision

(d) "State Agency" means the agency created under section three hereof

(e) "Federal Agency" includes any individual department or agency as is charged on behalf of the Federal Government by or under the applicable Federal law with the particular Federal function referred to in this act in connection with such term

(f) "Employee" includes an officer or employee of a State political subdivision or instrumentality thereof

(g) "Employment" means any service performed by an employee in the employ of the Commonwealth any political subdivision or instrumentality of either for such employer except (1) service which in the absence of an agreement entered into under this act would constitute "employment" as defined in the Social Security Act or (2) service per-

formed by employes in positions covered by a retirement system pension or annuity retirement plan or similar fund system or plan established by the Commonwealth or by a political subdivision on the date an agreement between the State Agency and the Federal Security Administrator applicable to such service is entered into or other service which under the applicable Federal law may not be included in an agreement between the Commonwealth and the Federal Security Administrator entered into under this act

(h) "Wages" means all remuneration for employment as defined herein including the cash value of all remuneration paid in any medium other than cash except that such term shall not include that part of such remuneration which even if it were for "employment" within the meaning of the Federal Insurance Contributions Act would not constitute "wages" within the meaning of that act

(i) "Applicable Federal Law" refers to the provisions of Federal law Public Law seven hundred thirty-four eighty-first Congress (including Federal regulations and requirements issued pursuant thereto) which provide for extending the benefits of Title II of the Social Security Act to employes of States political subdivisions and their instrumentalities

**Section 3 State Agency** A State Agency is hereby created to carry out the provisions of this act which shall consist of the Secretary of Labor and Industry He shall with the approval of the Governor appoint such additional employes as may be deemed necessary to carry on the work required by this act and fix the salary or compensation of such additional employes

**Section 4 (a) Federal-State Agreement** The State Agency with the approval of the Governor is hereby authorized to enter on behalf of the Commonwealth into an agreement with the Federal Security Administrator consistent with the terms and provisions of this act for the purpose of extending the benefits of the Federal old-age and survivors insurance system to employes of the Commonwealth or any political subdivision thereof with respect to services specified in such agreement which constitute "employment" as defined in section two of this act Such agreement may contain such provisions relating to coverage benefits contributions effective date modification and termination of the agreement administration and other appropriate provisions as the State Agency and Federal Security Administrator shall agree upon but except as may be otherwise required by or under the Social Security Act as to the services to be covered such agreement shall provide in effect that

(1) Benefits will be provided for employes whose services are covered by the agreement and their dependents and survivors on the same basis as though such services constituted employment within the meaning of Title II of the Social Security Act

(2) The Commonwealth will pay to the Federal Agency at such time or times as prescribed by the applicable Federal law and by regulations promulgated thereunder contributions with respect to wages (as defined in section two of this act) equal to a sum not in excess of three percent (3%) of such wages received during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-three inclusive four percent (4%) of such wages received during the calendar years one thousand nine hundred fifty-four one thousand nine hundred fifty-nine inclusive five percent (5%) of such wages received during the calendar years one thousand nine hundred sixty one thousand nine hundred sixty-four inclusive six percent (6%) of such wages received during the calendar years one thousand nine hundred sixty-five one thousand nine hundred sixty-nine inclusive and six and one-half percent (6½%) of such wages received during the calendar year one thousand nine hundred seventy and thereafter The actual amount of the contributions to be made under the provisions of this paragraph shall be the amount necessary to carry out the provisions of this act and the agreement entered into in accordance therewith which amounts shall from time to time be determined by the State Agency subject to the limitations herein prescribed



(3) Such agreement shall be effective with respect to services in employment covered by the agreement performed on and after the first day of January one thousand nine hundred fifty-one or such later date as may be specified in the agreement

(4) All services which constitute employment as defined in section two and are performed in the employ of the Commonwealth by employees of the Commonwealth shall be covered by the agreement and

(5) All services which constitute employment as defined in section two are performed in the employ of a political subdivision of the State and are covered by a plan which is in conformity with the terms of the agreement and has been approved by the State Agency under section five shall be covered by the agreement

(b) Interstate instrumentalities any instrumentality jointly created by this Commonwealth and any other state or states is hereby authorized upon the granting or existence of like authority by such other state or states (1) to enter into an agreement with the Federal Security Administrator whereby the benefits of the Federal old age and survivors insurance system shall be extended to employees of such instrumentality (2) to require its employees to pay and for that purpose to deduct from their wages contributions equal to the amounts which they would be required to pay under section five (a) if they were covered by an agreement made pursuant to subsection (a) of this section and (3) to make payments to the Federal agency in accordance with such agreement including payments from its own funds and otherwise to comply with such agreements

Section 5 Contributions by State Employees (a) Every employee of the Commonwealth whose services are covered by an agreement entered into under section four shall be required to pay for the period of such coverage into the Contribution Fund established by section seven contributions with respect to wages (as defined in section two of this act) not in excess of one and one-half percent (1½%) of such wages received during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-three inclusive two percent (2%) of such wages received during the calendar years one thousand nine hundred fifty-four one thousand nine hundred fifty-nine inclusive two and one-half percent (2½%) of such wages received during the calendar years one thousand nine hundred sixty-one one thousand nine hundred sixty-four inclusive three percent (3%) of such wages received during the calendar years one thousand nine hundred sixty-five one thousand nine hundred sixty-nine inclusive and three and one-fourth per cent (3¼%) of such wages received during the calendar year one thousand nine hundred seventy and thereafter The actual amount of the contributions to be made under the provisions of this paragraph shall be the amount necessary to carry out the provisions of this act and the agreement entered into in accordance therewith which amounts shall from time to time be determined by the State Agency subject to the limitations herein prescribed such liability shall arise in consideration of the employee's retention in the service of the Commonwealth or his entry upon such service after the enactment of this act

(b) The contribution imposed by this section shall be collected by each salary paying agency by deducting the amount of the contribution from wages as and when paid but failure to make such deduction shall not relieve the employee from liability for such contribution

(c) If more or less than the correct amount of the contribution imposed by this section is paid or deducted with respect to any remuneration proper adjustments or refund if adjustment is impracticable shall be made without interest in such manner and at such times as the State Agency shall prescribe

Section 6 Plans for Coverage of Employees of Political Subdivisions (a) Each political subdivision of the Commonwealth is hereby authorized to submit for approval by the State Agency a plan for extending the benefits of Title II of the Social Security Act in conformity with applicable provisions of such act to employees of such political sub-

division Each such plan and any amendment thereof shall be approved by the State Agency if it finds that such plan or such plan as amended is in conformity with such requirements as are provided in regulations of the State Agency except that no such plan shall be approved unless

(1) it is in conformity with the requirements of the Social Security Act and with the agreement entered into under section four

(2) it provides that all services which constitute employment as defined in section two and are performed in the employ of the political subdivision by employees thereof shall be covered by the plan

(3) it specifies the source or sources from which the funds necessary to make the payments required by paragraph (1) of subsection (c) and by subsection (d) of this section are expected to be derived and contains reasonable assurance that such sources will be adequate for such purpose

(4) it provides for such methods of administration of the plan by the political subdivision as are found by the State Agency to be necessary for the proper and efficient administration of the plan

(5) it provides that the political subdivision will make such reports in such form and containing such information as the State Agency may from time to time require and comply with such provisions as the State Agency or the Federal Agency may from time to time find necessary to assure the correctness and certification of such reports and

(6) it authorizes the State Agency to terminate the plan in its entirety in the discretion of the State Agency if it finds that there has been a failure to comply substantially with any provision contained in such plan such termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the State Agency and may be consistent with the provisions of the Social Security Act

(b) The State Agency shall not finally refuse to approve a plan submitted by a political subdivision under subsection (a) and shall not terminate an approved plan without reasonable notice and opportunity for hearing to the political subdivision affected thereby

(c) (1) Each political subdivision as to which a plan has been approved under this section shall pay into the Contribution Fund with respect to wages (as defined in section two of this act) at such time or times as the State Agency may by regulation prescribe contributions in the amounts and at the rates specified in the applicable agreement entered into by the State Agency under section four

(2) Each political subdivision required to make payments under paragraph (1) of this subsection is authorized in consideration of the employee's retention in or entry upon employment after enactment of this act to impose upon each of its employees as to services which are covered by an approved plan a contribution with respect to his wages (as defined in section two of this act) not exceeding the amount of contributions by Commonwealth employees as provided in subsection (a) of section five of this act and to deduct the amount of such contribution from his wages as and when paid Contributions so collected shall be paid into the Contribution Fund in partial discharge of the liability of such political subdivision under paragraph (1) of this subsection Failure to deduct such contribution shall not relieve the employee or employer of liability therefor

(d) Delinquent payments due under paragraph (1) of subsection (c) may with interest at the rate of six (6) per centum per annum be recovered by action in a court of competent jurisdiction against the political subdivision liable therefor or may at the request of the State Agency be deducted from any other moneys payable to such political subdivision by any department or agency of the Commonwealth

Section 7 Contribution Fund (a) There is hereby created as a special fund in the State Treasury the Contribution Fund Such fund shall consist of and there shall be deposited in such fund (1) all contributions interest and penalties collected under sections five and six (2) all



moneys appropriated thereto under this act (3) any property or securities and earnings thereof acquired through the use of moneys belonging to the fund (4) interest earned upon any moneys in the fund and (5) all sums recovered upon the bond of the custodian or otherwise for losses sustained by the fund and all other moneys received for the fund from any other sources All moneys in the fund shall be mingled and undivided Subject to the provisions of this act the State Agency is vested with full power authority and jurisdiction over the fund including all moneys and property or securities belonging thereto and may perform any and all acts whether or not specifically designated which are necessary to the administration thereof and are consistent with the provisions of this act

(b) The Contribution Fund shall be established and held separate and apart from any other funds or moneys of the Commonwealth and shall be used and administered exclusively for the purpose of this act Withdrawals from such fund shall be made for and solely for payment of amounts required to be paid to the Federal Agency pursuant to an agreement entered into under section four payment of refunds provided for in section five (c) of this act and refunds of overpayments not otherwise adjustable made by a political subdivision

(c) From the Contribution Fund the State Treasurer upon warrant of the State Agency shall pay to the Federal Agency such amounts and at such time or times as may be directed by the State Agency in accordance with any agreement entered into under section four and the Social Security Act

(d) (1) There are hereby authorized to be appropriated biennially to the Contribution Fund in addition to the contributions collected and paid into the Contribution Fund under sections five and six to be available for the purposes of section seven (b) and (c) until expended such additional sums as are found to be necessary in order to make the payments to the Federal Agency which the Commonwealth is obligated to make pursuant to an agreement entered into under section four

(2) The State Agency shall submit to each regular session of the General Assembly at least ninety (90) days in advance of the beginning of such session an estimate of the amounts authorized to be appropriated to the Contribution Fund by paragraph (1) of this subsection for the next fiscal biennium

Section 8 Rules and Regulations The State Agency is hereby authorized and empowered to make such rules and regulations not inconsistent with the provisions of this act as it finds necessary or appropriate to the efficient administration of the functions with which it is charged under this act

Section 9 Studies and Reports The State Agency shall make studies concerning the problem of old-age and survivors insurance protection for employees of the Commonwealth and local governments and their instrumentalities and concerning the operation of agreements made and plans approved under this act and shall submit a report to the General Assembly at the beginning of each regular session covering the administration and operation of this act during the preceding biennium including such recommendations for amendments to this act as the State Agency considers proper

Section 10 Administrative Appropriation For the purpose of administering the provisions of this act for the biennium beginning the first day of June one thousand nine hundred fifty-one and ending the thirty-first day of May one thousand nine hundred fifty-three there is hereby appropriated to the State Agency the sum of forty thousand dollars (\$40,000)

Section 11 The sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the State Agency to be paid into the contribution fund

Section 12 Repeal All acts and parts of acts are hereby repealed insofar as they are inconsistent with the provisions of this act

Section 13 Effective Date The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Beal,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Bersch,	Hersch,	Miller, J. C.,	Spencer,
Breth,	Hewitt,	Miller, H. G.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clemdening,	Jones, G. E.,	Moran,	Taylor,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Conway,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Murray,	Toll,
Corr,	Jump,	Musto,	Tompkins,
Costa,	Kamyk,	Najaka,	Toomey,
Coye,	Keller,	Naugle,	VanSant,
Dalrymple,	Kent,	Needham,	Varallo,
Davis,	Kline,	Olsen,	Varnar,
Dennison,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Dowling,	Kornick,	Petrosky,	Wargo,
DuBois,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polem,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1604.

An Act regulating the use of machinery powered by internal combustion engines or motors in coal mines.



With the information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 772.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation

#### HOUSE BILL No. 862.

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authority school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

#### HOUSE BILL No. 1324.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the registration year for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers and certain exemptions in accordance therewith.

#### HOUSE BILL No. 1544.

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration

of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

#### HOUSE BILL No. 1604.

An Act regulating the use of machinery powered by internal combustion engines or motors in coal mines.

#### HOUSE BILL No. 1641.

An Act to add Section 599-A to Article V, subsection (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto," by authorizing the appointment of special school police and defining their powers and duties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### RESOLUTION

#### COMMITTEE TO WAIT UPON SENATE

Mr. JOHNSON offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 22, 1951.

Resolved, That a committee of three members of the House of Representatives be appointed by the Speaker to wait upon the Senate, and inform that body that the House of Representatives has completed the business of the Session and is now ready to adjourn sine die.

### RESOLUTION

#### COMMITTEE TO WAIT UPON GOVERNOR

Mr. SMITH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 22, 1951.

Resolved, That a committee of three members of the House be appointed by the Speaker to wait upon His Excellency, the Governor of the Commonwealth, and inform him that the House of Representatives has completed the business of the Session and is now ready to adjourn sine die, and inquire whether there are any further communications he may wish to make to the House of Representatives.

#### COMMITTEE APPOINTED TO WAIT UPON SENATE

The SPEAKER. The Chair appoints as a committee to wait upon the Senate and inform that body that the House is ready to adjourn sine die Messrs. JOHNSON, BOWER and SCANLON.

#### COMMITTEE APPOINTED TO WAIT UPON GOVERNOR

The SPEAKER. The Chair appoints as a committee to wait upon the Governor and inform him that the House is ready to adjourn sine die and inquire whether there are any further communications he may make to the House, Messrs. SMITH, WOOD and ANDREWS.



## SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN  
BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

## SENATE BILL No. 888.

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and the payment of fees and costs in such cases

## SENATE BILL No. 889.

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employees

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 187.

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith

## SENATE BILL No. 219.

An Act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

## SENATE BILL No. 570.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

## SENATE BILL No. 666.

An Act to further amend clause (a) of Section 503 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency

thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear and determine certain petitions for refund by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions

## SENATE BILL No. 668.

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts

## SENATE BILL No. 888.

An Act to amend the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 715) entitled "An act relating to Reference and Arbitration" by providing by rule of court for the arbitration of certain suits at issue and prescribing the procedure the appointment and compensation of arbitration and the payment of fees and costs in such cases

## SENATE BILL No. 889.

An Act to further amend Section 3704 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for fixing compensation of certain officers and employees

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## RESOLUTION

RESCINDING CONCURRENCE IN SENATE  
RESOLUTION SERIAL No. 133

Mr. SMITH from the Committee on Rules offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 22, 1951.

Resolved, (if the Senate concur) That Concurrent Senate Serial No. 133, adopted by the Senate, September 26, 1951 and concurred in by the House of Representatives, October 2, 1951, providing for the adjournment sine-die of this regular session of the General Assembly, December 22, 1951 at 5:00 o'clock p. m., Eastern Standard Time, be and is hereby rescinded.

By the Committee on Rules  
CHARLES C. SMITH  
ALBERT W. JOHNSON  
ADAM T. BOWER  
W. STUART HELM  
HERBERT P. SORG



Ordered, That the Clerk present the same to the Senate for concurrence.

### RESOLUTION

#### ADJOURNMENT SINE DIE

Mr. SMITH from the Committee on Rules offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 22, 1951.

Resolved, (if the Senate concur) That this Regular Session of the General Assembly adjourns sine-die, Saturday, December 22, 1951, at 2:30 o'clock a. m. Eastern Standard Time.

CHARLES C. SMITH  
ALBERT W. JOHNSON  
ADAM T. BOWER  
W. STUART HELM  
HERBERT P. SORG

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Committees appointed to wait upon the Senate and the Governor will proceed in the performance of their duties.

#### NOTIFICATION THAT SENATE IS READY TO ADJOURN SINE DIE

Mr. MAHANY. Mr. Speaker, we the Committee on the part of the Senate, inform the House that the Senate has completed its work and is ready to adjourn sine die, this the 22nd day of December, at 2:30 o'clock a. m. Eastern Standard Time.

The SPEAKER. The Chair thanks the Committee on the part of the Senate.

#### REPORT OF COMMITTEE TO WAIT UPON SENATE

Mr. JOHNSON. Mr. Speaker, your Committee appointed to wait upon the Senate and inform that body that the House is ready to adjourn sine die at 2:30 a. m. December 22, 1951, has performed that duty.

The SPEAKER. The Committee is discharged with the thanks of the House.

#### REPORT OF COMMITTEE TO WAIT UPON GOVERNOR

Mr. SMITH. Mr. Speaker, your Committee appointed to

wait upon His Excellency, the Governor, and inform him that the House is ready to adjourn sine die at 2:30 a. m. December 22, 1951, has performed its duty.

The SPEAKER. The Committee is discharged with the thanks of the House.

### SENATE MESSAGES

#### CONCURRENCE IN HOUSE RESOLUTIONS

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 22, 1951.

Resolved, (if the Senate Concur) That Concurrent Senate Serial No. 133, adopted by the Senate, September 26, 1951 and concurred in by the House of Representatives, October 2, 1951, providing for the adjournment sine-die of this regular session of the General Assembly, December 22, 1951 at 5:00 o'clock p. m., Eastern Standard Time, be and is hereby rescinded.

By the Committee on Rules

CHARLES C. SMITH  
Chairman

ALBERT W. JOHNSON  
ADAM T. BOWER  
W. STUART HELM  
HERBERT P. SORG

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 22, 1951.

Resolved, (if the Senate Concur) That this Regular Session of the General Assembly adjourns sine-die, Saturday, December 22, 1951, at 2:30 o'clock a. m., Eastern Standard Time.

CHARLES C. SMITH  
Chairman

ALBERT W. JOHNSON  
ADAM T. BOWER  
W. STUART HELM  
HERBERT P. SORG

#### ADJOURNMENT SINE DIE

The SPEAKER. This being the day and the hour fixed by concurrent resolution adopted by the Senate and House of Representatives as the time when this General Assembly shall adjourn sine die, I now declare this 139th Regular Session of the House of Representatives adjourned without day.

















05-17 BIG



8 032919 991355



UNIVERSITY OF ILLINOIS-URBANA



3 0112 073268069